

**ALLEN COUNTY COUNCIL MEETING MINUTES**  
**April 20, 2023**  
**8:30 AM**

The Allen County Council met on Thursday, April 20, 2023, at 8:30 am in the Chambers in Citizens Square. The purpose of the meeting was for additional appropriations, transfer of funds in excess of the current budget, grants, and any other business to come before Council.

Attending: Robert A. Armstrong, Tom A. Harris, Josh L. Hale, Kyle A. Kerley, Paul W. Lagemann, Ken Fries, and Don A. Wyss.

Also Attending: Council Attorney Mitch Harper, Nick Jordan, Auditor and Jackie Scheuman, Finance and Budget Director.

**Tom Harris:** All right. Good morning. Welcome to the Allen County Council meeting for Thursday, April 20th, 2023. We'll begin as we do with all of our meetings with the Pledge of Allegiance followed by a moment of prayer.

**Members:** I pledge allegiance to the flag of the United States of America, and to the Republic for which it stands, one Nation under God, indivisible, with liberty and justice for all.

**Tom Harris:** Again, good morning. This morning we will start our meeting as we do with the approval of the minutes for both March 16th, March 21st, and our 2023 Executive Session. Council, have you had a chance to review those minutes? If so--

**Ken Fries:** Motion to approve.

**Bob Armstrong:** Second.

**Tom Harris:** A motion and a second. All in favor say aye.

**Members:** Aye.

**Tom Harris:** All opposed. That does pass 7-0. Thank you. Next up is our financial report with our auditor, Nick Jordan. Nick.

**Nick Jordan:** Good morning, council. In your notebook, you see the financials for the first quarter of the year. Nothing really enlightening as I mentioned the last couple of meetings with the interest revenue is trending way ahead, which is a positive. One thing I did want to point out because we've had a couple of questions about it from a couple council members. In your notebook, you see the fund financial statements.

Since when we're talking about available revenue, I know it's hard to see on the screen, but at the bottom of these financial statements, you can see one side, the left side where my cursor is the estimate, the right side is the actual. The thing to note is this amount left for appropriation or actual cash balance year to date. In the general fund, you can see that 40-- This is a general fund, the \$45.9 million. Right above that, you see a 6 million replenished for cash reserve.

That's kind of irrelevant today because of how much cash we have. This is still present from many years ago when our cash balance was very, very low. And because of the timing of

collections, we would potentially go negative at any given month. Just because they have been flowing, property tax comes twice a year. You really have the 45 plus the 6, and this is the general fund. You see these other major fund financials, we can go through them, but then when we say rainy day fund, it's its separate fund.

You have that 45 plus the 6, the 51 in the general fund. Then you have another \$15 million or approximately \$16 million in the rainy day fund just between those two funds. I know I've at least had it from a couple council members. We talked about it at a previous meeting. So FYI, along with any of the funds in there, I'm happy to walk through them, the ins and outs. We do update them here each month. And just so there's that differentiation, they're not together in one fund.

**Tom Harris:** Nick, some of the different times of the year, we watch the miscellaneous revenue begin to take off against the percentage of the year. At this point we're at 22% even though we're at 25% of the year. Am I looking at that correctly?

**Nick:** Yes, if you look at the flip a page back, the one I got on the screen and you look at the top box, you'll see a good chunk of revenues. One of those is a vehicle license, excise tax. We'll make a distribution here at the end of the month and you'll see that bump up \$2 million. Some of these distributions are quarterly, some of them are monthly. Some of them are completely different. NIRCC, on the other page at the top, you'll see they have a big chunk there.

It's because of when NIRCC does the billings and when they get reimbursement. So these are subject to fluctuation. The same thing with the sheriff. At the bottom of the first page, you'll see they've got a nice chunk in there for year to date, and the schools have paid for their SROs. A couple of the schools have. You'll see those fluctuations but by no means nothing to worry about-- It's actually we're going to be, at least if the trend continues, way ahead just because of interest revenue alone.

**Tom Harris:** Very good. Council, other questions?

**Ken Fries:** Motion to approve.

**Paul Lagemann:** Second.

**Tom Harris:** Motion and a second. Any other comments on that? If not, all in favor say aye.

**Members:** Aye. Aye.

**Tom Harris:** Oppose. It does pass 7-0. Nick, thank you. Next up is the total appropriations requested in a general fund. Today is \$152,947 total appropriations requested and other funds is \$28,844,543. This time we'll open up for public comment. You're coming for public comment. If you'd like to tell us your name.

**Sean Collentine:** Sure. My name is Sean Collentine. 46807 Zip code. Here we are. Here I am again. Here you are again. We all just need to evaluate where we're at with the jail. Is this the only thing that we can come up with in how to warehouse and deal with people? Laboring over this for the last year, one of the things that we've concluded is that this is really a system of warehousing poor people. You get arrested and you hand the detainee over to the sheriff and the sheriff says, "Oh, what do you want me to do?"

The sheriff said, "Well, okay, I'll lock them up, and then the system will take care of them." One of the keys we feel is pre-trial services, which we have here. We have a hearing that occurs at arraignment, but prior to that, if you don't have your own attorney, you're just waiting cooling your heels while you're trying to figure out individually what you should be doing. Pre-trial assessment is the absolute key because we can divert them from the system early before they have to be faced with jail and the sheriff has to deal with it.

If you look in Indy, 40% of the people that are incarcerated have mental problems. That's not a function of law-breaking, that's a function of mental dysfunction. 85% of the people down there are suffering from addiction. So is warehousing people who have these problems, is that the solution? We're looking at an expensive solution that really doesn't work. It's Indie has spent a fortune and we're contemplating spending a fortune here. So are we doing the right thing?

Why don't we look ahead and say let's keep people out of this system? We have been in contact with any number of social service agencies, and they're willing to work with us in the judicial system to keep people from keep going back to jail. The reason they're going back to jail, they're committing petty crimes to sustain themselves. If we don't get out of this mode of locking people up and forget it, we just are going to face with more and more jail construction. It's predictable as the day is long.

Let's keep people out of the system by treating their mental problems, their addiction problems ahead of time as much as we can rather than after the fact. We can do a lot better than that. Let's be an example for other places rather than being the last person in line. Appreciate it.

**Tom Harris:** Thank you. Other public comments. Hearing none, we'll move forward on the agenda. Next up is our Fort Wayne Allen County Airport Authority. Good morning. If you'd like to introduce yourself and your titles, please.

**Robin Strasser:** Good morning, counsel. I'm Robin Strasser. I'm the Director of Administration and Finance with the Fort Wayne Allen County Airport Authority.

**Doug Robertson:** Morning. I'm Doug Robertson, the controller for the airport.

**Tom Harris:** Good morning.

**Robin:** Good morning. We're coming before you today to ask for an additional appropriation to finish out our project gateway, the East phase. We had appropriated, or you had approved in our budget for 23 the first half of this second phase in an amount of \$55 million. We have since received some additional funding from the FAA through the bipartisan infrastructure law and their airport terminal program. We've received an additional \$8 million to put toward our terminal expansion and modernization project.

With that additional money and money that we have set aside in our reserves, we have enough funds now to finish out that project rather than splitting the second phase into two phases and doing it separately. That would have cost more. With that information, we have decided to come before you to request \$27,186,262 to finish out that project. As I mentioned, \$8 million of that will be coming from the FAA. This does not increase any taxes for taxpayers, we're using funds from the FAA and funds that we had set aside, and project will be fully funded and completed in two years, hopefully.

**Tom Harris:** I was thinking you just moved the pylons from one side down to the next part of the airport I think at this point.

**Robin:** Yes.

**Tom Harris:** Council, questions?

**Ken Fries:** Just so the viewers and everybody is clear, this is money that you have that you've already got. We're not taking money out of the general fund to pay for the airport. This is money that's already there. We're just going to appropriate that amount.

**Robin:** That is correct.

**Ken Fries:** Thank you.

**Tom Harris:** What would the taxpayer citizen user of the airport recognize from this improvement, these \$27 million?

**Robin:** Oh, this will then finish out the lower level. We'll see improvements to the bag claim area, the rental car area, and includes funding for some equipment related to that. It also finishes out the expansion of the checkpoint, the TSA checkpoint.

**Tom Harris:** Is that driving some of this from that additional \$8 million were they improving or doing additional stuff with TSA? Is that, or is this--?

**Robin:** It's more on the East phase. We had some potential from the ramp and the runways and taxiway standpoint. They were getting too close because the planes are getting bigger. By bringing the jet bridges on the east side up to the second floor and bringing the planes in, it's mitigating some potential safety issues. I think that's what's probably put us on the radar for them to give us additional funding.

**Tom Harris:** So that all of the, I say terminals, but that's all the gates will be the same distance, allowing the larger planes to come in without [unintelligible 00:12:07] concerns.

**Robin:** Yes, it allows for the bigger planes that the airlines are using now.

**Tom Harris:** Council, other questions, comments?

**Ken Fries:** Robin, I would be remiss if I didn't bring this up. You brought up baggage claim and I know that the airport authority doesn't have anything to do with the employees that are supposed to empty the planes and get the baggage on the baggage claim area, but the biggest complaint I've had, and I've heard from everybody is it takes so long to get your baggage off the airplane.

Is there something that the airport authority can do to put pressure on these airlines to try to get employees there? That's the biggest delay we have at that airport is waiting for our baggage to show up. I know the citizens of Allen County, the people travel here want to know what can we do to get that fixed?

**Robin:** Yes. It's a very good point. We are working with the airlines, both the local managers and the regional managers as well. We're also trying to figure out ways that we can do things to assist them. It's their job, but it's our airport and our passengers. We're trying to step up,

trying to figure out ways that we can assist them, do their jobs to give better service to everyone, and just trying to figure out what the cost of that's going to be and figuring that into our budgets going forward to make that happen.

**Ken Fries:** We appreciate it. Thank you.

**Paul Lagemann:** Robin, thanks for coming. I know this expansion does allow for more and larger airplanes to all come in and be docked there, be loading at the same time. How does this from a competitive standpoint, regionally place us when we look at south Ben, some of the mid-size airports, Dayton, that we might otherwise be competing with?

**Robin:** Anymore, we're competing with every airport nationwide. With the pilot shortage and planes, the airlines are making their decisions based on where they're going to make the most money. We're trying to keep our costs competitive while also trying to provide more service, to provide better service. We're just trying to be as creative as we can to keep our costs in line and remain competitive. We work very hard at being good partners with the airlines. I think it sets us up.

We have developed good relationships with them, so I think it does set us up for success particularly as our region grows and we have more need. We've been busy. We've been showing improvement every year. It should set us up for success.

**Paul Lagemann:** Well, I'm glad you're growing as our region continues to expand.

**Tom Harris:** From an economic development standpoint, the fact that that's a viable mode of transportation, that that will help also bring more people to this region because they can look to that. The parking area had taken on a lot of interest in the last time around. Will that be affected this time going in or is this pretty much inside the airport in the terminals and such?

**Robin:** This is inside the terminal, the front parking.

**Tom Harris:** Won't be disrupted.

**Robin:** Yes, correct.

**Tom Harris:** With all the traffic craziness in the town, it's nice to know that your parking lot won't be torn up. That's a good thing.

**Robin:** We should be good.

**Tom Harris:** All right. Very good. Council, other questions, comments?

**Kyle:** I know you brought up the pilot shortage and bigger planes, and obviously that's important because anybody that's been paying attention to the news, airlines are cutting frequency left and right and going to bigger planes. What is the biggest airframe we'll be able to handle now with the new gate structures?

**Robin:** Kyle, I can't answer that right now. I'll have to get back to you.

**Kyle:** That's Scott's question.

**Robin:** That's a Scott question.

**Kyle:** Sorry.

**Robin:** Or someone in our operations. Do you know?

**Doug:** I'm not sure.

**Robin:** I'm not sure. Not sure. I can get back with you on that.

**Kyle:** Thanks.

**Tom Harris:** Good. Council, any other questions, comments? Hearing none.

**Ken Fries:** I'll make a motion to approve appropriations within the general fund for facility construction, \$27,186,262.

**Paul Lagemann:** Second.

**Tom Harris:** Motion and a couple seconds. Any other discussion? Hearing none. All in favor say aye.

**Members:** Aye.

**Tom Harris:** All oppose. That does pass 7-0. Thank you. Good luck.

**Robin:** Thank you very much.

**Tom Harris:** Next on the agenda is economic development. Good morning. If you'd like to introduce yourself and your titles, please.

**Rachel Black:** All right. Rachel Black, Allen County, Economic Development.

**Carey Sipe:** Good morning. Carey Sipe, president and COO of QuikCut.

**Tom Harris:** Welcome.

**Carey:** Thank you.

**Rachel:** All right. For your consideration this morning, you have before you a resolution approving a statement of benefits for QuikCut LLC, which is located along Allen Martin Drive. The company plans to expand their business by investing \$3.5 million in personal property. Over the last several years, they have invested \$3.3 million and have created over 40 new positions. With this investment, the company will retain 60 jobs with salaries over \$3.5 million.

They offer a comprehensive benefits package that includes paid vacation, sick leave, paid holidays, health, life, dental, and vision insurance, as well as a pension plan, uniforms, and employee training. The company has also stated in their application that they will contribute 5% to the tax abatement development fund, and they have done that consistently every time they have applied for tax abatement. Based upon the point system within your tax abatement policy, they're eligible for a 10-year tax abatement.

If approved, the company is estimated to save around \$148,000 while still paying around \$99,000 over that 10-year deduction period. I do want to note that there's been an amendment

from the SB-1 form that you received in your packet. I have updated that. Given that to Nick, there's an additional address where this equipment will be located, so we just wanted to be sure that that was clear as well. We are here, if you have questions, happy to answer them.

**Tom Harris:** Thank you. Carey, you may you tell us a little bit and the public a little bit about what you do and why you're coming forward at this time.

**Carey:** Sure. QuikCut is an advanced metal fabrication company. As Rachel mentioned, we're located on the southeast side of town off of Meyer and Allen Martin Drive. We've been in that location for over 45 years now, started out as a very small tool and dye shop with one building. Now we own seven buildings over there. We have grown from a handful of people to over 60 now. Most recently, we've expanded our personnel as well. We're building for growth.

Our company's tripled in sales probably over the last five to seven years. In spite of a lot of businesses struggling, we had some projects directly related to COVID relief. We built decontamination systems for N95 masks. So that was a very neat project for our business. With this particular project, we're looking to add additional capabilities. Add a new 15K, so a 15,000 watt fiber optic laser. Very few of those in the area.

We were one of the first ones with a 10,000 laser and now we've continued to upgrade as technology has advanced. Also as part of that, we're looking to add automation to allow us to take parts directly off of the laser, put them on a pallet that can either be shipped directly to the client or that could be transferred over to our press brake which will sit right next to that machine.

The building, the reason for the address change is we were originally looking to put it in one of our existing facilities, but because of our growth, we actually purchased a water jet company that was right across the street from us off of Ellen Wood Drive. Looking at spacing, we feel like that has a better footprint for this new equipment, so it's on the same campus, it's literally across the street. I can see both buildings from my office. We're very excited about it. We just hired a new VP of operations.

He's actually from Wisconsin, so I always get excited when we're moving people into the city. We've also given other people opportunities to grow. Some of our welders, for example, who maybe thought they would be welding for 40 years are now looking at other opportunities to have management positions within our company, so it's a very exciting time for us.

**Tom Harris:** Congratulations on your success. What's the biggest challenge for the business and also what's your footprint look like? Is it local, is it regional, Midwest, nationally, beyond?

**Carey:** We work with a lot of local companies in terms of outside processes that we don't currently provide. I will say hopefully that changes here in the near future in terms of us growing within our own facility, but most, we have clients in Texas, California, all over the country. We build these above ground storage tanks and those get shipped all over. We're currently getting ready to ship one today that's a 30,000 gallon tank.

A lot of these will go to airports, rental car companies that need to store bulk fuel and other fluids, so this particular tank weighs 75,000 pounds. We have to have an extended semi come

in. Just really neat things anywhere from boot spurs that rodeo cowboys use, one-inch by one-inch parts. We can make 10,000 of in a few minutes to jet bridges. You just heard from the airport they did not select our jet bridges, but that's okay. We have jet bridges going to Minneapolis St. Paul right now.

We ship them. If you've ever gone out to a plane in a corrugated structure. The one that our airport is using here is actually a very-- I'd say, a much more aesthetic look. I think got glass and other things. Ours are more structurally sound in terms of corrugation. So if you've ever stepped down on a plane and seen those, that's probably one that we've built here in Fort Wayne.

**Tom Harris:** International business or mostly national?

**Carey:** Mostly national. We work with other clients who then will sell to the end user, so you won't see any products out in the market that say QuikCut on them, but you will see several products that you probably didn't know, parts for cement trucks that you see driving up and down the road, for example. We make parts for the military. They look like a storage container, but then they pop up and there's a watch tower that has a 50 caliber weapon mounted to the top of it. We talked about the decontamination systems.

Those were actually shipped to 13 different states during COVID, so it was just exciting. Having a wife who works in the medical field knowing that very few times do I feel like we're making something that's having that an impact, but that was a best project I've ever worked on, rallied our team.

**Tom Harris:** With the expansion of the infrastructure system that the feds are paying millions of dollars all over the country, does that have some impact or potential impact?

**Carey:** If you drive by our facility now, you'll see 40, 50-foot beams with pocket piles in them for roadway expansion, those types of products. Yes, we do.

**Tom Harris:** So the future looks bright from that standpoint.

**Carey:** It does and quite honestly, we're probably our own limiting factor right now just because of our capacity. We need more people, we have a very limited second shift right now. We have a very limited weekend shift, a pretty full capacity on first shift, but with this additional equipment, if we can have these machines running lights out, we can stop saying no to some projects and we can start seeking out some of those additional opportunities.

**Tom Harris:** Council, other questions at this time. Are you stunned? [unintelligible 00:24:43]

**Kyle Kerley:** Carey, you mentioned automation and maybe you partially answered my question, but just curious of bringing that new equipment does open up new business, sounds like it would, sounds like it lets you run more efficiently and effectively giving you more opportunity.

**Carey:** There's a client in particular that we've worked with on pricing. Really the only way to get to that pricing is a faster machine and automation that will allow us to take it directly from that machine over here and allow our staff to be able to run machines, maybe move the material, so it's good to give us capabilities and speed that we do not currently have. We can run parts about 50% faster with this equipment.



**Ken Fries:** If they give me a watch tower place to display it at my place.

[laughter]

**Tom Harris:** After the meeting.

**Paul Lagemann:** This is really a comment to economic development. We sit here in the most manufacturing-centric congressional district in the United States, number one. This is exactly the of economic development focus that we ought to be having. I applaud economic development for bringing this, thanks for doing what you're doing. I love it. I love it when we see, I've seen your facility. The ability to weld and fabricate at the advanced level that you all have is pretty remarkable.

We're seeing that really throughout our region. Keeping that here in Allen County is very, very important because as we have larger opportunities, larger entities that want to come here, we can keep a lot of that supply chain local. I love it that you guys are doing what you're doing, so thank you.

**Carey:** Thank you. Appreciate it.

**Tom Harris:** Josh.

**Josh Hale:** Rachel, are you able to explain? This is just an abatement because as we see further on in the agenda, there's going to be some improvements in that area. Are you able to share what is the taxes that are being brought in?

**Rachel:** As far as the tax abatement development fund you mean?

**Josh:** No, I guess we're giving abatement on the \$3.5 million. Seeing that we know we're going to have a project right there. What else is QuikCut bringing as far as property taxes to support things like police, fire, and EMS?

**Tom Harris:** I think you mentioned. Is it \$99,000 over the 10 years?

**Carey:** I already know our property tax, what we pay each year for property taxes.

**Josh:** I'm going in that direction. You're not adding any staff. This is just bringing in the 15,000 machine.

**Carey:** Correct. We'll do our normal increases, promotions, those types of things. Our individuals will be moving from I would say a lot more technical positions and then maybe moving into management, which will create new opportunities for them, new pay. In terms of property taxes, we pay around \$60,000 to \$65,000 per year in property taxes for our locations. Our total square footage is around 115,000 square feet between all of our buildings.

**Josh:** Thank you, Carey. You answered my question. I appreciate it. Thank you.

**Tom Harris:** Council, other questions, comments? Hearing none.

**Ken Fries:** I will move for approval of resolution 2023-4-20-01 approving statement of benefits, SB1 for QuikCut, LLC.

**Kyle Kerley:** Second.

**Tom Harris:** Couple of seconds. Any other comments? Hearing none. All in favor say aye.

**Members:** Aye.

**Tom Harris:** All opposed? That does pass 7-0 and congratulations to you. Please pass that on to both the employees and your management team. Congratulations on your continued success. Thank you. Next up is our surveyor. Like to introduce yourself and your title, please.

**Mike Fruchey:** Morning Council. Mike Fruchey County Surveyor.

**Tom Harris:** Good morning.

**Paul Lagemann:** Good morning.

**Mike:** I'm here today asking for an additional appropriation for migrating our drafting software from Carlson to Autodesk Civil 3D, which is really our industry standard. We're on that standard up until about 15 years ago. Then the surveyor at the time made the decision not to stay with it and really go backwards in a lot of ways. We are using it, it just is not as efficient or as effective as it could be.

The Autodesk Civil 3D is the product that the outside engineers are using, many of the private engineers as well as city utilities with the City of Fort Wayne in their transportation section. It's standard as we communicate with these other entities, it makes it much easier. It's also easier to integrate GIS layers into our plans. It's just better software and as we are heavy into our design capability right now as you're well aware of with the ARPA projects, we're going to see what kind of capacity we have.

I have to give the project managers as much help as I can, and this is an avenue to help them so that we can put out as much work as possible with our existing staff of project managers. I thought about this change in the fall. I was making so many changes when I came in. I thought sometimes you can make too many changes and overwhelm the staff, and so I delayed that knowing I'd probably be at it later. Now we would not implement this all at the same time.

We have to do this when they're in between projects to migrate them to the new software. Throughout the year, this is certainly the software our new chief deputy is used to, coming from city utilities, but will be great for the staff and we will integrate them as we can. What's before you is for six licenses. There's initial one-time fee. That's the \$19,000 in change.

Then like all software business modeling is now you pay an annual maintenance fee, \$18,000 a year in annual maintenance. Do you have any questions? I sent you some materials about a month ago to kind of explain the advantages of moving to this.

**Tom Harris:** From the community standpoint, end user, taxpayer standpoint, what do they see out of this? How does this help the citizen in the community?

**Mike:** I think we'll just be more productive with our existing staff. I think, again, as we're being asked to design about \$10 million worth of projects each year for the next two years, to be able to do that and to not outsource it, I think economically it will work. It'll work for us

and more than makeup for the cost that we're spending. I think it'll have a lot of advantages. Not that all of them I see right now,

**Tom Harris:** Do you have a date that you want to see it implemented by? I throw that out as a cautionary note as you know, what happens a lot of times is we'll buy the software and we just get busier and busier and busier and never fully gets implemented, never fully gets utilized. Do you have a date that you'd say it needs to be implemented in operational by such and such date?

**Mike:** That's a good question. The ARPA projects that we're currently designing, the first nine, our goal to have all those fully designed is June 30th. If they have a project done prior to that, then we'll migrate them to the new software before then. Certainly, shortly after that June 30th day, I would expect that all the staff would be migrated. That'll happen.

**Tom Harris:** Paul.

**Paul Lagemann:** How does this software relate to the industry standard? What's the expectation from most surveyors' offices or from the consulting engineers that you all work with regards to the level of product that you guys are working with?

**Mike:** Well, again, since we're working with a lower standard of software, it doesn't always communicate. It's just like consulting engineers sometimes ask us for information, and we're trying to help them provide our information that we have to help their process. We sometimes need that information for our own process.

They've already surveyed an area that we want to do a project on, and we try to import that data, and it becomes very difficult when we're on different software packages, and especially with the difference between these two software packages. It just creates time delays.

**Paul Lagemann:** Essentially this just gets you up to where pretty much the industry standard is, and because we're operating on a [inaudible 00:33:54] 64 when we should be on a real computer, right?

**Mike:** Certainly, this isn't like we're asking for something that is the best, Tom, or anything. This is just what the standard is and has been for a very long time and actually is what it's taught at the engineering colleges. Students that are coming out, or the baccalaureate degree in construction or civil engineering from Purdue, Fort Wayne, or for Purdue West Lafayette. They are being trained in the AutoCAD.

That's what they're training. They're coming out with that particular software knowledge. If they come to us and we're using a different software package, then it's an acclimation time to figure out what is similar.

**Tom Harris:** We don't want to move them back to punch cards. Is that right? For those older in the audience, you understand that joke.

**Mike:** Yes.

**Tom Harris:** Go ahead, [unintelligible 00:34:48]

**Ken Fries:** Mr. Surveyor, first of all, I appreciate your professionalism in the surveyor's office and bringing them into the future. Your dedication to that is remarkable. A question

about this maintenance contract. Is this a one-year contract, two year, three year? How long are we going to keep that price of \$18,053?

**Mike:** I don't know that for sure, Councilman. I think that they increase those prices every so many years. I think this is just for this next year. I don't think we're locked into a multi-year thing. I don't believe that.

**Ken Fries:** Do me a favor and see if you can. I know historically we were able to get a better rate if we locked into a two or three-year contract,

**Mike:** I can certainly look into that. Something I hadn't thought of.

**Ken Fries:** Thank you.

**Tom Harris:** Good. Council, other questions or comments? Hearing none.

**Bob Armstrong:** I'll make a motion for the surveyor's office for appropriation within the county general dues in subscriptions for \$19,910, maintenance agreement, \$18,053, for a total of \$37,963.

**Ken Fries:** Second.

**Tom Harris:** Got a motion and a second. Any other comments, questions? Hearing none. All in favor say aye.

**Members:** Aye.

**Tom Harris:** All opposed? It does pass 7-0. As it goes, Council gets busy as well, and Bob is liaison for your department as such, maybe updating him on how that implementation's going and fully operational would be helpful down the road.

**Mike:** Great. I sure will.

**Tom Harris:** All right. Thank you very much. Thanks. Next up is our building department. I'd like you to introduce yourself and your title, please.

**Joe Hunter:** Good morning, council. Joe Hunter, Building Commissioner.

**Tom Harris:** Good morning.

**Joe:** Coming to ask for appropriations for a vehicle replacement and two temporary salaries. We have two guys retiring towards the end of the year. I want to be ahead of the ball on this instead behind it, like we was last time when a guy retired. Took us six months to hire somebody. Get these guys in here, get them trained. The vehicle we are asking for is a replacement of the Tahoe that we give to the coroner's office.

When I was approached by purchasing, we had a window to put in for this vehicle with the agreement with the dealership that if, without your guys' approval, they will go ahead and accept that back and put it up for sale.

**Tom Harris:** Why did you give your Tahoe to the-- What department, who'd you give it to?

**Joe:** Coroner's office. They were in dire need of a vehicle at the time. We didn't have an assistant commissioner at the time, so instead of leaving it set and just sit there and collect dust, we utilized it with another department.

**Tom Harris:** Thank you. Council, questions, comments?

**Paul Lagemann:** Yes. Joe, can you give us a good sense of where permits are sitting right now and how that compares to last year, and how you're keeping up?

**Joe:** Last year at this time, we were sitting about 8,900 permits roughly, give or take a few. I ran these numbers this morning, so when I run that day, it runs to the end of the day. When I run for us right now, it's the beginning of the day. Right now, permits-wise, as we speak right now, today is 9,786 with approximately 365 in the queue waiting to get approvals. We're noticing more larger projects.

What we're trying to do is work with these contractors ahead of time to organize and be able to separate different phases because these larger buildings, say like the pearls sub-story, multi 10, multi-use, instead of they coming back and do a phasing permit, end up with 200 or 300 permits where we can just do this in the beginning, be able to phase this out, get it somewhat level. We know there's going to still be some phasing, but not as much.

We're actually helping the contractors cut down on their permitting cost because the re-phasing fees, their paying was \$300 or \$400 per rephasing. We got one project right now, it started off with 50 permits, and they're at close to 260 because of material shortages, whatever it may be, needing to occupy a certain area. We're working with these contractors trying to get this done right now to minimize the amount of phasing in the beginning to where we don't have a large amount towards the end.

**Paul Lagemann:** One other question. I know when I've been in your office that a lot of the folks that you bring into your office have had extensive experience in the field. They were electrical contractors who are now inspecting the work that they did previously, plumbers, et cetera. How do you anticipate retirements over the next year or two because you have an office of folks who are a little bit older?

**Joe:** Right. We have approximately 11 guys right now that could retire today. They're at the age of the cans. Most of them want to keep working, which one of the guys retiring this year is 72 years old. He pretty much says, "I'm done." Understandable, you put your time and get it. Our biggest thing is we're trying to pre-plan for all these retirements, so I've asked the guys, "Hey. If you know you're going to retire, six months, a year whatever please let us know ahead of time.

That way we plan for this like we're doing here and get some people in here, get them trained." What these guys are going to do they're going to ride around the people in their car. They're going to train off those guys until the day they retire. Once they retire, then this line item will fall off and they'll just go right into that position whether it be whatever position we're at.

**Paul Lagemann:** Great, thank you.

**Tom Harris:** Are you seeing any trends? You may have hit this already, but are you seeing those trends in permitting going up or flat or down? I'm sure you checked that on an annual basis in terms of cyclical time of the year and such. How's it looking from that standpoint?

**Joe:** We're seeing more permits being pulled because we're phasing them out ahead of time for these guys to make it easier, not only for them but also for our inspectors so we're not missing stuff. The second thing is we're seeing a lot more larger projects like the Pearl. We have lofts getting ready to start. GEs looking to do in their second phase.

We're seeing the more inspections because of limitations on concretes or bigger pores where we have to go out there multiple times because they don't have the rest of them ready, but as far as permits-wise we are seeing an increase in that. I don't want to say it's self-inflicted but it somewhat is because we're helping these guys out in the end to where we're not having 14 people run around trying to figure out was this inspected, was this not inspected, is this on this permit, is this not on this permit?

We're working towards that goal of making this smoother both for the contractor and for our inspectors so we don't miss something, whether it be schools or airports. The airports getting ready to do their expansion. We've had pre-meetings with every one of these contractors. They come in, they give us a roll of blueprints, we go over them, lay out what we feel should be in the phasing, presented to them. They either agree, make changes where they need to do, then we get them permitted.

**Tom Harris:** The housing market, are you up to meeting their demand or is that slowing, easing, picking up?

**Joe:** It was a little bit slow because of concrete shortage, but I had met with one of the larger builders in Allen County the other day. They indicated to me this year they would like to triple their houses they're doing per year. Right now they're averaging they told me about 38 homes a week they are framing. They would like to see that at 100 sometime this year

**Paul Lagemann:** Per week.

**Tom Harris:** Did you say a week?

**Joe:** Per week. This particular contractor, most of their stuff comes in prefab. You put A to A, B to B, they can frame a house in a day. I mean they are plugging these things out as fast as they can. They're actually pouring concrete in one day and framing the next.

That's how fast they're building these. Their turnaround time on these houses they want to get it down to four months, but right now they're at six months turnaround times per house which some of you guys know most custom houses take up to a year. These guys are ripping these things out four to six months.

**Tom Harris:** Yes, the lending of the Tahoe, did you get that back or in other words it's still there with the [crosstalk]?

**Joe:** They have it. We basically gave them that Tahoe.

**Tom Harris:** They would not be coming to us asking for another vehicle at this point?

**Joe:** Correct.

**Tom Harris:** Counsel, other questions, comments? Your request-- We've spent a little bit of time talking about the vehicles, the temp training salary is in there as well.

**Joe:** Correct.

**Paul Lagemann:** Well, if there's no more discussion, I'll make the motion for an appropriation within the general fund for vehicles totaling \$35,070, two temporary training salaries for \$39,957 each, totaling \$114,984.

**Joe:** Okay.

**Tom Harris:** A motion and a second, council. Any other questions or comments? Hearing none, all in favor say aye.

**Members:** Aye.

**Tom Harris:** All opposed? That does pass 7-0.

**Joe:** Thank you, guys.

**Tom Harris:** We wish you well there, good luck. All right. Next up is cooperative extension - I'm sorry.

**Nick:** Got to do the temporary training salary ordinance. It's what that is, is just in your annual salary ordinance, you approve a three-month temporary training so ordinance. And Joe, the building department needs a little longer duration just as you touched on at the beginning of the conversation. The verbiage is to change there for the building department specifically to allow that temporary training salaries to go until the end of the year.

**Tom Harris:** This is item number one in essence.

**Nick:** Yes, and then when the new year starts, when you adopt 24 salary ordinance, he'll have three more months just by the default of the new salary ordinance. So really it's till the end of the year and then three more months if he needs it. If we would need to go longer than that, then we'd come back next year and ask for that additional timeframe, but you have to pass that in order for him to hire, pay the two--

**Tom Harris:** Makes sense, absolutely. Is there a motion for number one?

**Bob Armstrong:** I'll make a motion for the building department. Consideration of the salary ordinance amendment for temporary training. Salary ordinance three months elimination to instead run until 12/31/2023 for the building department.

**Ken Fries:** Second.

**Tom Harris:** Motion and a second. All in favor say aye.

**Members:** Aye.

**Tom Harris:** Opposed? That does pass 7-0. Thank you. Nick, thank you for that. All right. Next up is cooperative extension. Like to introduce yourself and your title, please.

**James Wolff:** Good morning. I'm James Wolf, I'm the County Extension Director for Purdue Extension. Today I'm here to request salary adjustment for our new staff that got caught in the timing of the compensation study approval. We worked in February to replace a retired administrative assistant. I was able to identify a candidate the 1st of March to replace and fill that position.

At the time, I knew the compensation study may be an issue, so I reached out to HR and was advised to offer at whatever salary was the approved rate on the day of offer. I double-checked with payroll and made sure the rates were correct. Made the offer on March 10th when the offer letter included a start date of March 27th to accommodate her to give her former employer two weeks notice. That offer was accepted on March 10th, returned to me. I do have copies if you don't have copies of that offer letter.

Then within that two weeks, you approved the new salary, the compensation study, you approved all of that with an effective date of March 25th. We believed at the time that that would cause our employee to be red-circled, so she would remain at the rate that she signed her agreement with, and then would just be red-circled until that caught up. However, because her start date was after that March 25th, payroll puts her in the new pay which is a reduced rate from what she agreed in her letter.

We're just trying to get back to that point and have her red circled for the year basically, and then also just again because this position's been open for three months and was originally budgeted at the retiree's rate, our budget still more than compensates for the difference in that pay right now.

**Tom Harris:** Approximately, what was the difference, ballpark?

**James:** If I remember right, it was maybe \$1,000 to \$2,000 total for the year. I think it was 83 cents an hour less under the new rate than the old rate.

**Tom Harris:** Council, questions, comments? Yes, please, Don, go ahead.

**Kyle Kerley:** Nick, does this require an ordinance or is this just an HR problem that they can fix?

**Nick:** It requires the salary ordinance because right now you have the salary that you passed on March 16th, and so that's what James is asking to make this retro. It would be like the Red Circle policy except for this employee wasn't hired at the time, and so if they were hired on March 10th compared to the 27th, it would've fallen under the Red Circle policy at the 36th, the higher salary.

That's essentially what is happening here is we're just honoring the Red Circle policy so to speak for this employee because of when the offer was made, but it requires, yes, because right now the two classification, two, one and because they started after the--

**Kyle Kerley:** It's because of the start date.

**Nick:** Yes.

**Don Wyss:** My comment is basically along the same line as what Nick was laying out. I've had conversations with James and with HR. In this case, it's an unfortunate situation that the



admin assistant is caught in this time gap here. After listening to both sides, in my mind it makes sense to proceed forward with the original number on the offer letter.

**Tom Harris:** You'd like to make a motion? Oh, I'm sorry.

**Ken Fries:** Who told you to offer them at the higher price or the higher wage?

**James:** I contacted HR. I worked with multiple people in the HR department in this hiring process and was told multiple times that was the rate. When I contacted payroll, that was the only rate that they had because at the time I hadn't even seen what the new rate was going to be based on the classifications.

**James:** The only rate that I had available to me was the rate that we were paying on March 10th.

**Ken Fries:** I feel terrible for the employee but this is part of the reason I voted against it last month because I thought this compensation study is not ready to be put in place. I feel bad for the employee.

**Tom Harris:** Other comments? I guess I would say from a hiring standpoint, unfortunately, these things happen when you're changing comp systems. The timing just gets awkward and it just happened to land in your lap in this particular case.

**Don Wyss:** I'd like to make a motion to council that we approve this or amend this salary ordinance for this admin assistant to the \$36,208.

**Tom Harris:** Go ahead and read the non-exempt.

**Don Wyss:** Non-exempt, 37.5 hours a week retro to 3-27-23.

**Paul Lagemann:** Second.

**Tom Harris:** Second. Any further comments council? If not, all in favor say aye.

**Members:** Aye.

**Tom Harris:** All oppose.

**Ken Fries:** Aye.

**Tom Harris:** Very good. That does pass 5-1(Fries)-1(Armstrong). Thank you.

**James:** Great, thank you.

**Tom Harris:** Next up is the Highway Department.

**Bill Hartman:** Good morning. Bill Hartman, Allen County Highway Department, and we have Elissa McGauley, and also Kim Yagodinski. Allen Martin Drive is a concrete pavement that's nearly 50 years old. Two years ago we were called out. It was nearly impassable. Subgrade was pumping mud up through a pavement that was broken very many places. The gentleman that was here earlier, QuikCut is housed out there along with I believe about 1/2 a dozen other very heavy industrial companies.

This is an attempt to rebuild the streets there so they can take this heavy traffic. We're going to put 11 1/2 inches of new concrete and quite extensive subgrade treatment to help that out. It's about a \$2.1 million estimate. We have some money available and then these are reimbursements that the highway department's received from other projects that have accumulated. We're just hoping to appropriate those into a line item so that we can bid this yet this summer and keep the industrial development going out here on Allen Martin Drive.

**Tom Harris:** Council, questions, comments?

**Ken Fries:** When would you expect this to begin and when would you expect it to end?

**Bill:** Depending on material supplies and bidding, we would hope to bid it here in the next month or so. Possibly complete it this year but depending on whether it may go into next year, we'll just have to see.

**Ken Fries:** Allen Martin is a short drive. What's the distance, do you know?

**Bill:** Oh, probably 1,000 feet.

**Tom Harris:** Elissa you are here with the Highway Department. Would you like to say a few words?

**Elissa:** Explain why?

**Tom Harris:** Yes

**Elissa:** [chuckles] Elissa McGauley, director of redevelopment, Allen County Department Planning Services. Up until the time that this was bid, Allen County Highway reached out to us a couple of years ago when the condition of that road had deteriorated to the point where they needed to do some remediation and they were asking for funds. We had been discussing at the time, QuikCut's expansion a few years ago. They are a pair into the Tax Abatement Development Fund, Fund 331.

That is, we as staff administer that fund and put together the annual budgets for. We used that fund mechanism to help remediation as well as do the engineering or help pay for that preliminary engineering as well as engineering for that road. That part of that project is done now and they're ready to bid and they're going to continue to use a little bit of the Fund 331 for this construction but the majority of it is coming out of the lit.

Like I said, I think over the last couple of years I don't have the total amount that QuikCut's contributed to it but over the last two years, they've put in about \$1,400 back into that fund from the savings, from their tax abatement contribution.

**Tom Harris:** How much are you using out of the fund?

**Elissa:** We have budgeted this year about 900,000 in the budget. There's a little over 800 I think right now available.

**Tom Harris:** Are you using that toward this project?

**Elissa:** Yes.

**Tom Harris:** About 800,000. That's a good example maybe of where that fund and those funds that come from different employers as they grow, they're putting monies back in there if they so choose. In this case, it helps them out but there are other businesses in that area and such.

**Elissa:** There are about 17 or 18 companies that contribute to that fund. I think Rachel reports that out annually to you as part of the abatement analysis that she does. I think she presented that last month, in fact. Over the last two years, the fund has collected about 96,000. It's about \$40,000 to \$50,000 a year that we received from the companies that have agreed to contribute a portion of their tax abatement savings back to the county.

**Tom Harris:** Council?

**Paul Lagemann:** Bill, are there any other contributors to the expense here? Do we have any state or federal funds going into this at all?

**Bill:** We do not.

**Don Wyss:** Bill, this is mainly just a question for me to understand. How do we decide between concrete and asphalt for a replacement? Is one or the other cheaper?

**Bill:** In this case, asphalt really wouldn't hold up for the heavy industrial use that's taking place there. Like I say, this concrete pavement's about 50 years old. We expect probably 25 to 30 years out of a concrete payment, asphalt payment, just the wearing surface alone, generally you have to replace every 10 to 15 years thereabouts. A flexible pavement, which we call asphalt. We deem asphalt in bridge and pavement concrete.

Why the more heavy traffic? Why the more we lean towards the concrete main arterial roads, such as Maple Crest, when we did that and right now Bass Road improvements and we're getting ready to replace Falwell Parkway on the west side of General Motors. Which is their trucking material runway into that plant will also all be concrete. The use is primarily reason for what we pick.

**Don Wyss:** Thank you.

**Tom Harris:** This improvement's going to be fair to say a 20-year improvement?

**Bill:** We should certainly. Being 11 1/2 inches wide, we're hoping for longer than that but it is a very heavy industrial use.

**Tom Harris:** Council, other questions? Hearing none.

**Paul Lagemann:** I would like to make a motion for the appropriation within the Lit Economic Development Fund 329 of \$1,658,281 for this contractual use for the highway.

**Kyle Kerley:** Second.

**Tom Harris:** Motion and a second. Council, any other questions, comments at this point? Hearing none. All in favor say aye.

**Members:** Aye.

**Tom Harris:** All opposed? That does pass 7-0. Thank you very much.

**Bill:** Thank you very much.

**Tom Harris:** Next up is our auditor with a couple of items to discuss this morning.

**Nick:** Yes. Good morning council again. The first item on the agenda, and to make sure you have the updated copy, you should see nothing for the surveyor's office. Then you'll also see there's only one position for the highway. If you're seeing the older version of the agenda, just note that those items are not on there. It's a list of when we did in transition from getting the information and Clemens Nelson, and myself putting it into the cell ordinance.

I aired in the positions that you see here in one regard or the other. That's simply correcting these people to where they need to be based on the salary ordinance that you adopted at the March meeting.

**Tom Harris:** That's the item number one, is that correct?

**Nick:** Yes. That's the attached listing shows-- I can pull it up here. Community Corrections Highway. The commissioner's item is actually really old. It was noted during this study, and so that's why we're changing that one from non-exempt to exempt but it's been exempt since 2018. This is the document that I'm talking about. If you have a version that shows the surveyor items, it's not what you're going to be adopting today. The surveyor in the highway **[unintelligible 00:59:59]** status is being further reviewed and if action is needed, you'll take it on another day in a more comprehensive group. These items need change because they are specifically in the incorrect classifications that were in the salary ordinance.

**Tom Harris:** Administrative error.

**Nick:** Yes, like I said--

**Paul Lagemann:** Just a quick question. Do we need to do these line by line then?

**Nick:** No, you can approve the retroactive ordinance and then the detail we have here, substantiating it.

**Tom Harris:** With that, item number one, council, any other questions on that one? Hearing none, I need a motion for approve item number one.

**Paul Lagemann:** I move that we adopt the salary ordinance correcting the errors noted in the 2023 amended classified salary ordinance retro to 3/25/23 as noted in the corrected documentation. [chuckles] Is that the best way to say it, Nick?

**Nick:** Yes, that's fine. We got the detail there. It's with a signed version.

**Tom Harris:** Got a motion. Is there a second?

**Ken Fries:** Second.

**Tom Harris:** Second. Any other discussion questions on that? Hearing none, all in favor say, aye.

**Members:** Aye.

**Tom Harris:** All opposed?

**Ken Fries:** Aye.

**Tom Harris:** Got one. Okay. That does pass 6-1(Fries). Then you've got a second item.

**Nick:** Yes. The second item, and just to be clear, because there's been confusion. The second item is an order. It's not subject to your approval. I am bringing it to you today, if the majority of council wants to take action on it for consistency's sake, then the salary ordinance will match what the order says. If council doesn't take any action or if it's denied, I still have to make the changes. All it's doing is changing the salary ordinance of compensation somebody's being paid, it's not giving them any more money. Council would have to make appropriation in that regard.

I just wanted to be clear if you guys vote no or you don't take action, I still have to follow the order under the laws. I've sent you the laws, both the court law that is spelled out in the order along with the budgeting law that falls under counties. I'm happy to discuss anything further, but I just wanted to make clear that if you don't approve it, I still have to follow the order. If you do approve it, it simply makes it so that when you look at the salary ordinance, which I don't have the example here, everything will still be consistent as it is. If you don't approve it, we pull a page out that says these are court-ordered salaries, and the rest of the salary ordinance will be what has been approved by the fiscal body.

**Paul Lagemann:** Nick, if we take no action, walk us through exactly what that sounds like.

**Nick:** If you take no action, we calculate the salaries retroactive to when they were changed on 325, and we bump them up quarterly and start paying them a quarterly retroactive to 325. Then the salary ordinance looks like visibly, these will pull these out and just have them on a separate page that shows court ordered. That way the history shows for a year, 5 years, 10 years, that county council approved this salary ordinance these were court-ordered.

**Tom Harris:** When you say that, that requires us not to pass any more money, explain.

**Nick:** Right now the bodies, the circuit court, superior court, and ACJC have not put in an appropriation request for additional funds. We know ACJC, at least in recent years, has had hundreds of thousands of dollars of rollover. They may very well cover the approximate 70 positions they have in the order. circuit and superior court, it just depends on where things are year to date and whether--

**Tom Harris:** Meaning that they're going to go into their own funds, own balances of their budgets, and use those additional funds to pay for their court order.

**Nick:** Yes, my interpretation and not being an attorney of the laws, this court order is just to increase the compensation trial rule 60.5, the mandate of funds has not happened. There's no appropriation request here. There's no telling me I need to pay these monies. If and when that happens, we'll revisit it at that time.

**Tom Harris:** It would come back to council for--

**Nick:** That's an interesting thing because I don't know when they make that mandate-- we're making an assumption here. If they make that mandate, if the courts order is on me, I don't have the power to appropriate money. The fiscal body does, and so I would not automatically increase the appropriation because I don't have the power to do that. The law specifies under IC 33, that's in the order. It's on the auditor paid out of the county treasury, the appropriation of monies that's done by the fiscal body.

**Tom Harris:** We've had a little bit of time as this happened a short time ago to talk to our councilor attorney for county council, and Mitch, do you want to weigh in a little bit in terms of what the order means either for us on county council and/or for the auditor from that standpoint?

**Mitch:** I can't advise the auditor, but I did talk to the county attorneys yesterday.

**Tom Harris:** You might pull your microphone forward too.

**Mitch:** What the auditor has said regarding the statutes is correct, and he's provided you also with a copy of trial rule 60.5 on the mandate of funds, which this is not. A few remarks here, the order actually is asking the auditor to amend the salary ordinance, which is something they don't have the power to do and he can't amend ordinances on his own. However, given that it's an order, they do have the authority to set the compensation for their personnel. They also, beyond that, can set the expenses of conducting all of the activities that come under the court.

I think rather than parsing exactly what the order says, they give guidance as to what they believe the salary levels are to be. It's reasonable to take that as an order for a pay increase of those salaries in amounts that can be ascertained with reference to the salary ordinance. Again, though, they can't ask the auditor to amend the ordinance because that's not within his power. The order doesn't direct anything for the county council to do. If there were additional appropriations needed. He's accurately stated that might be the subject of a mandate.

I will say this about mandate of funds and orders of court. They're disfavored in the statute. They're disfavored by the Supreme Court. There have been various episodes over the years, particularly in the 1980s, and then on which thought to provide a little bit of more order to the process. I know this was something for Chief Justice Shepherd and the Supreme Court followed his lead because his desire was to build relationships and comradery between legislative bodies, appropriating bodies, and judicial officers, and not bring the judicial officers into any controversy.

This is interesting and believe me, I've also made reference to the reported cases. They do have the power to make this order. The money is there, there might need to be a mandate if they were to ask for an appropriation. The Supreme Court has wanted to make sure that there is a process where the bodies that are doing the funding essentially work things out through mediation and further discussion. Here, this is a factor of situation because you've got your consultant, they've gone through and made comparable studies, they've met with the courts, and you're still in the middle of this process.

You've got an appeals process built into this, and by that time, you're going to be knocking on the door of the fall budgeting process. I would urge the courts to take notice to continue to work with the county council and show the public that everybody's working together. because in trial rule 60.5, if there are circumstances that lead to a mandate in the very first paragraph,

the Supreme Court and their rules say, prior to issuing the order, the court shall meet with the mandated party to demonstrate the need for said funds.

At any time in the process, the dispute may be submitted to mediation by agreement of the parties or by order of the Supreme Court or the special judge. Without going into, as I did in one personnel meeting, what the dates and the timeline are of challenging a mandate. I don't think that behooves anyone, but go through the process, continue to work, and hopefully, the court will also enter into everything with that same spirit of mediation. Now you've got a specific question?

**Tom Harris:** I think that helps.

**Mitch:** In my judgment, I don't believe you need to take action on amending that salary ordinance.

**Tom Harris:** Nick, you've pointed out that if we take no action, you're doing it anyway. If we took action to vote, no, you're going to do it anyway, and so either way.

**Nick:** If you take action and it was approved then we amend the salary ordinance to match the B7. Otherwise, right now we have a salary ordinance that shows them at B6, and we'll have a court order that shows them at B7 or C3.

**Tom Harris:** Nick, just a couple of thoughts from my perspective if council and for new members, you may recall that September of last year, approximately September of last year, the courts had come before us asking, "Hey, we need some help. Can you help us out and increase some of our funds or increase some of our wages so that our people won't be leaving us?" We cautioned them on the basis that if council approves this in the middle of this study, that it could have some negative impact on how the whole process plays out.

It's exactly what's happened. We went ahead and reached out and said, "Yes, we will help you." We even asked them at that time, "You want this money now, or will you be willing to wait?" They said, "We want it now." We did that, and here we are today, and they're saying, "We want more. That's not enough. We want additional amounts." The concern that I have from my perspective is the courts have not exhausted their administrative remedies in this process. The process that we established was that we would have an appeal process at the end of this.

We set that and we said, "Six months, you're going to have to wait." Then council came back and said, "No, we don't have to do it in six months, we're going to move this up to make sure that it helps, both departments' employees, as well as the budget process. We'll move it to July." In the course of the last week, council, I want you to know that I've been working with the courts to say, "Look, we'll even expedite that process and make it immediate effective today to begin to work and to help resolve this issue."

They've decided to skip that entire process and say, "No, we're going to order this anyway." That's very disappointing to me. I think it should be disappointing to taxpayers as well. The opportunity to sit down and understand both sides, improve communications, trust, and analysis of this process is given up on the basis that they simply want to make an order.

That's disappointing. I don't think it helps the process. Therefore, from my perspective, I think council, we should continue the process and say we will still put these jobs into the

appeal process or further analysis, further discussion, despite the fact that they've given us this ordinance.

I think that's something that we should do on the basis of the analysis that we want to make sure that this process is fair, complete, and accurate. We'll continue to look at these jobs through the appeal process despite the fact that they're wanting to skip that process. That would be my comments for this. Council, I'll open up further comments. There's no other comments or no actions. We'll move forward with the agenda.

**Kyle Kerley:** I guess I would just echo your comments in that Councilman Lagemann and I have had great conversations with Judge Trevino when she brought these positions to our attention. We have been working not only with HR but when you make a change in one area, it may affect multiple other areas to make sure that we keep pay fair and so that it makes sense. We have been working on that and I would've said the same thing, that, we continue to work through the timeline just as we had. I feel a lot of these will probably be resolved in a favorable manner by our self-imposed July 1st deadline that we gave to ourselves.

I'll also point out that we amended our policies so that nobody currently employed was negatively impacted. Everybody's making what they were making on March 24th. Nobody went backwards and we changed our policy so that going forward, everybody would still continue to get raises regardless of how they were impacted by this study. Nobody was negatively impacted. We knew that when we made that July 1st self-imposed deadline to give ourselves a deadline to make sure anything that may have gotten overlooked or needed to be adjusted, we could do it before the next budget deadline so that nobody would be negatively affected going forward.

**Tom Harris:** Thank you, Ken Fries.

**Ken Fries:** I have to say, I agree with the judges and I know they've felt their level of frustration that they have tried to deal with HR and talked to council members and everything, and they were getting nowhere through this entire process. They believed they were being overlooked and not considered. I understand why they did what they did. Now they're being listened to, and I think that's a good thing.

**Tom Harris:** Council, any other comments? The only concern that I have is that this has not been done since approximately we believe somewhere in the early 2000s I think the last time that this has occurred. The potential for these kinds of things to come before us may improve, may increase, may happen again. We're going to have to work closely with the courts to understand their positions. They're also going to have to reach out and make sure that they continue to communicate and simply not dictate what they want to do in the courts. I think that's not healthy for the community. We'll anticipate that reaction in the future.

All right, council, anyone wanting to move on this? Hearing no action, we'll move forward on the agenda. Discussion of other business to come before council. Nick, thank you, by the way. Any other items for council at this time? Any liaison updates?

**Paul Lagemann:** Just a quick one. I spoke with Gary Grant yesterday and this morning. He is making available opportunities to do a jail tour. I was fortunate enough to go through the Sheriff Fries' version of the citizens' academy. I've been through the jail, but it's been a minute. I feel that as we go through this decision-making process, if we don't understand the current conditions, we are remiss if we don't have eyes on opportunity to really understand



those better. I'll be setting some appointments for myself for next week. If anyone else is available, if you have some dates, please just email those to me and see if we can cluster around maybe a Tuesday or Wednesday date that would work for everybody.

**Tom Harris:** It would be prudent for all of us to again visit the jail, even though we may have spent many years there, [laughter] under the circumstances.

**Paul Lagemann:** At the same time, I would say I because of that citizens' academy had a really great, a much better understanding of what the Sheriff's department did. Kudos to Ken Fries and Councilman Fries for doing that. You did a really good job with that. I'd love to see that come back again.

**Kyle Kerley:** Me too. it was a good program.

**Tom Harris:** Did you want to mention anything with the All in Allen? I think it's is up being discussed today or brought up today in meetings later on today.

**Paul Lagemann:** We will be finalizing the details for the recommendation for the commissioners, for the All in Allen ordinance version at Plan Commission today. That's one of the final steps in this process. There are still things to fix. One of the biggest problems we have with the All in Allen, and I'm going to keep working on this from my position on Plan Commission, which I have appreciated the council allowing me to do. We still do not have a set aside large-scale site.

We've seen Hendrix County, we've seen some other counties within the state move this direction. We are very poised based on our infrastructure to be able to create a site like this so that when the next scout plant comes forward, we are ready to pounce on it and ready to pick up 6,000 or 7,000 jobs. I think we have to be ready for that. My hope is as we move forward, we can set aside in the mapping, a space that shows the rest of the world that we're open for business that is the biggest error in that plan.

The other thing I want to comment on in the Olin Allen, that it will be affected, it's more affected by the state at this point than it is by our decisions here. The DNR a year or so ago instituted what's called the baffle layer, or actually began to enforce what's called the baffle layer. It added 16,000 acres in Allen County alone of floodplain. Floodways actually, which made it very difficult for farmers to build a barn in an area that had never been flooded.

We had subdivisions that were scrambling, that were already in process that they couldn't complete up in Woodburn. It really took out a lot of, the opportunity to not just develop, but to use for typical use this land. The legislature in their wisdom fixed that problem, in the last, few days. I'm happy to say that we are not going to have to deal with this baffle layer in the future. Those are really the two things that I would comment on the Olin Allen. You all vote to pass, I want to move it forward, but this is an evolutionary process that we will continue to try to improve.

**Tom Harris:** Done every 10 to 15 years, I think, approximately, right?

**Paul Lagemann:** A little more than that actually.

**Tom Harris:** It might've been 20, but, all right Councilman, please.

**Kyle Kerley:** Councilman Lagemann and myself have been on the Indiana Association, the County Council's legislative committee. It's been a very active year. We've gone down twice now to, lobby not only local reps but some of the ones outside of our sphere. It's going to be very busy the next week and a half. Please pay attention to your emails. As usual, it happens at the end of the session, there's going to be some attempts to slide some language in that may help us, that may hurt us. We need to keep our eye on it.

We may need your help in making some phone calls to make sure that we're not negatively affected as there's still some language alive out there that could have a very detrimental effect on the county from a financial perspective. Then I'm hoping next month, once session wraps up, that Kate will come and give us a legislative update from the commissioner's office so that we can get an idea of really what the impact's going to be on us once everything's voted on. It's to the governor's desk for signatures.

**Tom Harris:** Kate's been effective in getting us some updates even recently and spoke to her last evening, as well. She's anticipating a very busy last week. I know we have spoken about the idea of her coming before council and giving us further updates, so that's good. Thank you.

**Paul Lagemann:** To Kyle's point, this is the point in the session where reconciliation occurs. Where there are differences between a House and Senate bill, those differences have to be, reconciled. That goes to a conference committee. In conference committee, anything that was alive in one house or the other in the first half of the session is fair game. There's definitely language that is not great for counties as a whole. The AIC's done a really good job of paying very close attention to some of those issues.

**Tom Harris:** Very good. Other comments? Anything else? Hearing none. Let's see. Liaison reports. I guess hearing none, Paul.

**Paul Lagemann:** I move for the approval to waive the second reading on any matter approved today, for which it may be deemed necessary for the county council meeting of April 20th, 2023.

**Tom Harris:** Got a motion. Is there a second?

**Kyle Kerley:** Second.

**Tom Harris:** Then a second. All in favor say aye.

**Members:** Aye.

**Tom Harris:** That's passed 7-0. The next county council regular meeting will be held at 8:30 Thursday, May 18th, 2023 in the Chambers Room of Citizen Square. Is there a motion to adjourn?

**Paul Lagemann:** Motion to adjourn.

**Tom Harris:** A second?

**Bob Armstrong:** Second.

**Tom Harris:** We are adjourned. Thank you very much.