

Members

Sen. Becky Skillman, Chairperson
Sen. Steve Johnson
Sen. Mark Blade
Sen. Rose Antich
Rep. Tiny Adams
Rep. Peggy Welch
Rep. Gloria Goeglein
Rep. Matthew Whetstone
Thomas Rethlake
Frank Fritch
Richard Jones
Vernon Jewell
Doug Lechner
Raymond Lueken
Garland Ferrell
Kelly M. Thompson
Jean Lushin
Timothy Skinner
Al Dillon
William Mansard
John Catey



COUNTY GOVERNMENT STUDY COMMISSION

Legislative Services Agency
200 West Washington Street, Suite 301
Indianapolis, Indiana 46204-2789
Tel: (317) 233-0696 Fax: (317) 232-2554

LSA Staff:

Chris Baker, Fiscal Analyst for the Commission
James Jett, Attorney for the Commission

Authority: P.L. 28-2001 (HEA 1629)

MEETING MINUTES¹

Meeting Date: August 27, 2001
Meeting Time: 1:00 P.M.
Meeting Place: State House, 200 W. Washington St.,
Room 233
Meeting City: Indianapolis, Indiana
Meeting Number: 1

Members Present: Sen. Becky Skillman, Chairperson; Sen. Rose Antich; Rep. Peggy Welch; Rep. Gloria Goeglein; Rep. Matthew Whetstone; Thomas Rethlake; Richard Jones; Doug Lechner; Garland Ferrell; Jean Lushin; Al Dillon.

Members Absent: Sen. Steve Johnson; Sen. Mark Blade; Rep. Tiny Adams; Frank Fritch; Vernon Jewell; Raymond Lueken; Kelly M. Thompson; Timothy Skinner; William Mansard; John Catey.

Chairperson Becky Skillman called the first meeting of the County Government Study Commission, for the 2001 interim, to order at 1:09 PM August 27, 2001. At Senator Skillman's request, the members introduced themselves to the Commission. Following introductions, Senator Skillman proceeded to read the charge of the County Government Study Commission. Senator Skillman also discussed historical accomplishments of the Commission since its inception in 1997 through 2000.

Senator Skillman briefly reviewed the removal from the Commission's charge the examination of the structure of the Lake County and the St. Joseph County Commissioners which was discussed during the 2000 interim and the 2001 legislative session. Originally, the Commission was charged to explore the differences of the County Commissioners of St.

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Joseph County and Lake County with 89 other counties in the state. Of issue, should St. Joseph and Lake County governments be restructured to incorporate better checks and balances. The passage of HEA 1629 removed the Lake County and St. Joseph question from further discussion. Senator Skillman also recognized the achievements of the internal study that county surveyors began in 2000.

Review of Legislation Introduced in the 2001 Legislative Session

Senator Skillman recognized Vice Chairperson Representative Peggy Welch to review legislation from the 2001 legislative session pertinent to the Commission. Rep. Welch testified on the following bills:

HB 1627 - 2001: County Corrections. This bill passed the House but was not heard in the Senate.

HEA 1629 - 2001: Renewal of Charge to the County Government Study Commission. The bill provided for the removal of the Lake County and St. Joseph County provision concerning the respective commissioners of these counties. Additionally, the bill added four laymembers to the Commission. This bill passed both chambers of the General Assembly and was signed into law by the Governor.

HB 1630 - 2001: Included the recommendations made by the County Government Study Commission in 2000 for the Lake County and St. Joseph County government question. The bill did not receive a hearing.

Representative Welch questioned whether the Commission would wish to move for re-introduction of HB 1630 in the 2002 legislative session.

Following the presentation from Representative Welch, the Chair recognized testimony from Commission members and the public on the possible topics to be studied during the 2001 interim.

COUNTY COURTS:

Representative Gloria Goeglein, Member

Representative Goeglein mentioned county court budget shortages and raised this topic as one to consider.

Travis Worl, Association of Indiana Counties

Mr. Worl indicated that various legislative proposals had been introduced in past legislative sessions in order to address the county court budget situation. None of the bills mentioned from the 2001 session passed. Mr. Worl also indicated he had attended meetings of the Commission on Courts (COC), and added the COC was addressing the situation. He indicated he would work further with the COC in order to find possible solutions to the situation.

Representative Peggy Welch, Member

In response to Mr. Worl's comments, Rep. Welch indicated that a report generated in the Bloomington media incorrectly claimed that court fees had increased in Monroe County. She further mentioned that the counties are losing out by not being able to have a fee structure that will bring in enough revenue to meet budgets. Rep. Welch stated she would like to see

the final report of the County Government Study Commission list suggestions that would ease the costs counties incur from court expenses.

Matt Brooks, Association of Indiana Counties

Mr. Brooks directed the Commission's attention to an article from the Indianapolis Star on reassessment of property taxes. He requested the Commission explore ways of shifting property tax revenues towards the funding of county government operations.

POWERS OF COUNTY GOVERNMENT:

Garland Ferrell, Laymember

Mr. Ferrell stated a concern regarding the Commission's ability to make progress on the issue of delineation of powers within county government. He specifically questioned who has authority to pass an ordinance, who has approval authority on contracts, and whether plan commissions should be able to contract on their own.

Discussion followed among the Commission members.

CHILD SUPPORT AND COUNTY GOVERNMENT:

Jean Lushin, Laymember

Mr. Lushin stated his interest in studying delinquent child support and the impact to county government. He questioned if a county has the authority to take back delinquent child payments to ease the burden on the county welfare structure.

ASSESSMENT:

Garland Ferrell, Laymember

Mr. Ferrell questioned the Commission regarding assessment. Mr. Ferrell stated he would like to know who is the final authority for determining re-assessment.

Discussion followed, during which, Vice Chairperson Welch asked what is the best way to approach this topic. She suggested the possible research by the Commission on how other states are approaching assessment issues.

Senator Rose Antich, Member

Senator Antich suggested looking into local assessors' offices. She asked if the Commission would consider whether local assessors' offices should be continued from a cost standpoint and the feasibility of counties to assume the duties of assessing.

Doug Lechner, Member

Mr. Lechner, the Johnson County Surveyor, indicated in response to Senator Antich's question, that it has been his experience that city governments have been trying to share costs with other cities and towns in the county to streamline and achieve greater discounts. He stated that the State Board of Accounts determined that there are no statutory limitations for this approach to purchasing. No entity or person to date has challenged this determination.

Thomas Rethlake, Member

Mr. Rethlake, Whitley County Commissioner, listed examples from his own county, such as school, police, and fire departments working together to find discounts on common purchases. He indicated that in his experience there has been a significant savings. A Commission member asked Mr. Rethlake the process his county was using. Mr. Rethlake responded that projects go up for bidding using a Quantity Purchase Agreement (QPA), where the county auditor is the purchasing agent.

Matt Brooks, Association of Indiana Counties

Mr. Brooks provided a historical backdrop to the discussion by indicating the streamlining process began in 1997 and continues to work well. He indicated support for further streamlining in local governments.

Further discussion followed. Senator Skillman interjected that it is not always easy to implement further streamlining under the existing guidelines of quantity purchasing. She stressed the importance of reviewing the implementation process and asked the Commission members for their thoughts.

Further discussion followed.

Travis Worl, Association of Indiana Counties

Mr. Worl presented two further topics for the Commission to consider. First, Mr. Worl discussed the impact of holdover offices (offices where a newly elected person does not immediately take office and must wait to take office for a specified time period). Second, he mentioned the implementation of funds from the new voting system improvement fund and his desire to see the Commission discuss how the fund will be used.

In response to Mr. Worl's comments, Chairperson Skillman stated in the case of holdover offices, to change their structure would require a resolution to pass both the House and the Senate in two consecutive legislative sessions. She further recalled that such legislation did pass through both houses of the General Assembly in a past session, but did not pass in the subsequent session. Only if such legislation were to pass in consecutive legislative sessions could the issue be put to a public question.

PUBLIC EMPLOYEE RETIREMENT FUND:

Al Dillon, Member

Mr. Dillon, Wayne County Recorder, expressed concern and asked the Commission to consider the carryover effect of the Public Employee Retirement Fund (PERF) with local elected officials. He provided an example where a local government office holder has finished two terms (for a total of eight years) and then run for another office, possibly one which the office holder may not wish to hold. The purpose for running for a subsequent office would be to reach the ten-year point of employment so that the office holder's PERF becomes vested for a pension upon retirement.

Senator Skillman elaborated that this issue has come to the attention of the General Assembly before and has been too cost prohibitive in the past for the General Assembly to pursue.

Senator Skillman asked for any additional public testimony. Receiving no further testimony,

the Commission decided to next meet on September 25, 2001, at 1:00 PM in room 233 of the State House. There being no further business Senator Skillman adjourned the meeting.