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Martin

County

THE MARTIN COUNTY COUNCIL

SPECIAL SESSION MEETING

October 18, 2021

MINUTES

The Martin County Council convened in special session October 18, 2021, in the Commissioners’ Room at the Courthouse located at 129 Main Street, Shoals, Indiana. Councilmen attending: Warren Albright, Randy Wininger, James Stiles; Keith Gibson, Adam Greene; and Councilwomen Barbara McFeaters and Sherri Bowling. Also in attendance were Auditor Bobbie Abel; Attorney David Lett; Cody Roush, Commissioner; Rhonda Sanders, Recorder; Carolyn McGuire, Assessor; Lori Carrico, Treasurer; Danielle Murphy, Community Corrections Director; Don Greene; Kim Showalter; Mike Jones; Pat Jones; Mildred Brown, Lost River Township Trustee; Prosecutor Aureola Wright; Michael Fritch, Chief Deputy Prosecutor; Steven Teverbaugh, Deputy Prosecutor; Jim Hamby, Chief Shoals Fire Department; Barb Hager; Nathan Hoffman, Surveyor; Mike Engleman; Jared Wakler; Jacki Dant; Logan Dant; Isha Wright-Ryan. Sally Burch; January Roush, Financial Advisor Greg Guerrettaz.

President Albright called the meeting to order with the Pledge to the Flag at 6:00 pm.

Attorney Dave Lett informed of the Remonstrance of the 2022 Budget. Ten or more taxpayers can file a petition which identifies what is objected to in the budget. There were twenty-four taxpayers who signed the petition. Four items were identified in the petition. The Council is required to provide findings in response to the objection to the budget. Attorney Lett advised that if the Council does not adopt a budget the County is in jeopardy of reverting to the 2021 budget. The petition and findings will be filed with the Department of Local Government. Attorney Lett advised that the Council does not have to allow taxpayers to speak. President Albright will allow those who would like to speak to have three minutes each.

Jason Loughmiller stated his objection to balancing the budget from funding from an unsustainable source. If the Sheriff said $191,000.00 is possible in revenues, why was $260,000.00 budgeted for extra income. He does not feel you should rely on it. Loughmiller stated the Sheriff’s Department should share in the funding. President Albright responded that the Sheriff’s Department has received its share of the funds. They just approved raises for the Corrections Officers last week. The Sheriff’s Department is on track to bring in approximately $500,000.00 this year. The $191,000.00 is a conservative estimate. All budgets are submitted as estimates. The expenses and revenues are estimates. A discussion followed.

Greg Guerrettaz, Financial Solutions Group (FSG) informed the Council will approve not just the General Fund, the budget approval includes Cum Capital Development, Cum Voting, Riverboat, Highway, Local Road and Street, Economic Development, Local Income Tax and Reassessment. If the 2022 budget is not approved these funds will also revert to the 2021 budget and potential revenues will be lost and could effect future revenues.

Jerry Waltham, asked again about the amount budgeted for out of County inmates. Sheriff Roush said he committed to fifteen inmates and will to the best of his ability. Today they have thirty. President Albright stated that they have averaged right at thirty inmates this year.

Sheriff Roush, read a prepared statement. Sheriff Roush is not in support of the 2022 Budget as proposed. He stated that it is an unsustainable model, based upon inmate revenue. The revenue listed in the proposed budget is beyond his original commitment of fifteen inmates. He feels the exhausting of the surplus is predictable. He stated they must increase wages for other critical positions, 911 Dispatchers and Sheriff’s Deputies before desirable positions. The dispatchers and deputies are critical to the Public Safety of the County. Although a 2% raise is appreciated it is insufficient for the County base pay starting point. Many here support public safety but it is troubling when you lack unanimous support. Roush read it should have been a 7/0 vote instead of a 5/2 vote to increase jailer wages. When out of county inmates has generated over a million by the jailers and deserves unanimous support. The Deputies and Dispatchers support it unanimously.

Mike Engleman stated that he submitted the petition in objection of the 2022 Budget. He stated he feels the Prosecutor’s Office is overstaffed compared to other Counties of similar size, even with the reimbursement received from the State. He stated the Surveyor’s Office Deputy’s numbers for markers went down. He wants to know if the budget justifies the numbers for that office. President Albright stated the Surveyors’ office needs help to get the requirements done. The Corner stones are not the only work that is done by the Surveyor’s Office and a lot of the corner stones are located during the fall when the leaves have fallen. The Surveyor has exceeded location numbers required by the state. Discussion followed.

Greg Guerrettaz, FSG, stated that the revenues in total are projected at 3.5 million which is conservatively underestimated. The revenues were historically 3.6 and 3.7 million. They did not do a staffing analysis only a budget analysis. Ultimately the Commissioners and the Council decide the correct level of staffing.

Councilwoman Barb McFeaters stated the reason why she voted to have a Deputy Surveyor was because they were paying more to hire out people to do the work than it cost to hire a Deputy Surveyor. She did it to save the County money. She feels that continuity is tremendous, by having someone familiar with the area. The Recorder, Treasurer or Assessor can state how much both the Surveyor and the Deputy help them. It is so much more than just cornerstones. It was to save the taxpayers money. President Albright stated that the estimates to hire someone to locate cornerstones that are required by state statute is $2000.00 or more per stone. By statute approximately 40 stones should be located per year for Martin County, that would be approximately $80,000.00 just to locate stones. The location of stones helps the landowners too. A discussion followed

Prosecutor Wright addressed the audience and the Council. She gave a brief introduction. She thanked everyone for being there. She is excited to see government at work. She prepared a statement but did not read aloud, instead she informed everyone that her plan was to serve the county the best she could by providing the services that the County needed. The office provides assistance to the Sheriff’s Department, Loogootee Police Department, the Probation Office, Community Corrections and the Conservations officers. Prosecutor Wright stated that by hiring a Deputy it saves the county money by not having to hire an investigator at the cost of fifty-one to eighty thousand per year and not having to hire an advocate for victims which is between thirty and fifty thousand per year. She did not ask to hire anymore staff which was needed. She did not have to hire a Criminal Deputy Attorney at fifty-two to sixty-six thousand a year and still have a child support deputy. There was a child support deputy in place who she chose not to retain when she took office. In 2019 they received an award for the work that was accomplished. Wright stated she has been transparent from the beginning. The Judge and the State has approved of what has been done in her office. Her position is twenty-four seven, in support of the Sheriff Deputy’s at all hours, she is always available for legal analysis. Attorney Wright stated that her office also represents Public Safety for Martin County. Mike Engleman asked how much the child support deputy worked on child support versus criminal. Attorney Wright did not have a breakdown with her of how much time is spent on each issue. She welcomed him to her office for further discussion.

Chief Deputy Prosecutor Mike Fritch stated that approximately twenty percent of the time is spent on child support. Deputy Prosecutor Teverbaugh was introduced. The state reimburses a portion of this. Greg Guerrettaz, FSG, informed that it must be justified in a cost allocation to the state. Discussion followed.

Jessica Dant wanted to build off what the Sheriff had to say. Housing inmates is not a guarantee and feels it should not be an integral part of the budget. Why are they not looking at public safety and why are we not looking at retaining them? Stop adding positions that aren’t integral to public safety.

Jarod Walton stated the Prosecutors Office is lowering costs for the County, he said, appreciate that. Surveyor added a position to cut cost appreciates that. Martin County raised taxes to 2 ½ %. If we have cut costs in these areas, why did we raise taxes? Why are we not talking about lowering the tax rate? President Albright stated that the reason why our income tax rate is higher than others is because Martin County’s property is approximately 50% non-taxable land. Non-taxable land between Crane and Forest land is one of the reasons why Martin County depends more on Local Income Tax. He wasn’t against raising taxes but was against raising as much as it was. Is it in discussion to lower the taxes again was asked? President Albright stated that there isn’t anyone in the county who is overpaid, you can’t cut taxes and pay people what they should be making.

Barb McFeaters, Councilwoman, stated one of the reasons income tax rates were raised was due to Covid revenues in the state of Indiana being down 40% with no idea how long it was going to go on. After listening to well respected Larry DeBoer’s presentation of the effects Covid-19 could potentially have on revenues and how much less we could potentially receive. It was advised not to wait until you are in trouble to increase taxes because at that point it will be too late. She would like to watch what is going to happen before taxes are lowered, she doesn’t want to lower prematurely and to have to increase them again.

“Is the 2022 Budget a deficit budget was asked?” Albright stated that “no that is not the case.” Councilman Adam Greene asked if we are spending more than we are bringing in in revenue wise? Greg Guerrettaz stated that no we were not. He advised he was brought in because they were heading towards a brick wall. He was asked if we could lower taxes by the Council. He stated that they have had a lot of meetings dissecting revenues, discussing expenditures and meetings with department heads. Department heads were challenged and worked through their budgets. Mr. Guerrettaz stated that after analyzing everything he recommends the Council should not lower taxes at this time. He evaluated the jails across the state and the potential of a decrease of the need for out of county inmate housing across the state. All totals were taken into considerations when analyzing the budget. Councilman Greene stated that the sheet that Auditor Abel gave them shows a deficit. Greg Guerrettaz informed him that the Form 3 which was submitted will be changed by the state of Indiana when they work the budgets, Form 3 lowers the revenues to advertise high, so we receive the full growth quotient. The form submitted was a low estimate. When the estimate was put together three months ago the inmate revenue estimate was higher and the lower estimate was provided afterwards. Auto excise and other revenue sources will change and balance out the potential lowering of inmate money. Greene stated if we lose inmate revenue, we will be over in the budget. Guerrettaz stated that in Councilman Greene’s hypothetical reference, we could be out of budget, but without the final numbers from the state he wouldn’t say we would be overbudget. This is the first time the council has ever looked at a three-year budget. All budgets should be reviewed monthly, yearly in addition to projecting out three years. The Council really needs to manage the budget month by month. Just because it is approved one time a year doesn’t mean you don’t have to look at it monthly. Things can change. You need to evaluate revenues as well as expenditures. Guerrettaz stated that the council has never been as transparent as they are now. If you loose money in the jail, the council would decide who would need to be reduced. The jail costs approximately $490,000.00 out of the general fund, so if jail revenues go down it will need to be addressed.

Prosecutor Wright asked that if the Financial Advisor would recommend looking at all departments within the County and not just two positions within the County if costs needed to be cut. Guerrettaz stated yes that every stone would need to be overturned. The proper level of staffing is not what he determines as all counties are different in their needs. The Department is supposed to work within the budget that was given to them. Budgets can be cut due to revenue losses. Cutting positions is not the easiest to do but can be done after a budget is approved. McFeaters stated that usually you do not cut jobs first. Guerrettaz stated that 9 times out of 10 jobs are preserved over other costs. McFeaters stated there are other ways to look at the budget to cut costs before cutting jobs. She stated over the years they have always looked at cutting expenditures over cutting jobs even in the worst of times.

Attorney Lett said the Council is here tonight to adopt the budget. This was not the public hearing. This was the Special Meeting for the adoption of the 2022 budget. They allowed comment for the remonstrance. Council can proceed with deciding to adopt the budget or not. They are required to submit the written findings as to each item raised in the petition. If they don’t adopt the budget, they will revert to the 2021 budget. He deferred to the financial advisor, who stated that if they do not adopt the budget, they will revert to 2021, you will start the year at a deficit because you would not receive the growth quotient that the state grants everybody. You would not want to not adopt the budget. Albright said if you don’t adopt the budget, you will lose funds, income taxes associated with the growth quotient of 4 ½ %.

Councilman Wininger stated they could make cuts tonight. He has been here twenty years and we always make adjustments during the adoption. Always. The majority stated that no, they have never made adjustments during the budget adoption meeting. The previous Auditor January Roush stated you adopt what was presented during the budget adoption meeting. Wininger disagreed, and said they always do. The majority again stated it is the workshop when they cut budgets. Prosecutor Wright stated that all the department heads come to the workshop and go over line item after line item with the Council. At that time cuts are made. Albright agreed.

Adam Greene, Councilman, stated that the Republican Party Leadership came to his office. Millie Brown, the party leadership stated he was talking about her. Greene said he was trying to be transparent and felt strong armed. Ms. Brown replied, she is open about everything she does. She went to meet him and offer advice, not to strong arm him. She said because he was a first-year office holder he had a lot to learn. She too is a first-year office holder and has a lot to learn. She doesn’t feel everything needs to shared on Facebook. Greene feels he is posting public information. A discussion followed. Attorney Lett advised that this wasn’t a place for personal comments. A lengthy discussion followed.

A motion to approve Resolution 2021-27 Martin County 2022 Budget was made by Councilman Stiles, seconded by Councilwoman Bowling. With five in favor and Councilman Greene and Councilman Wininger opposed. The budget was approved.

Millie Brown questioned the petition of objection that was filed, due to the lack of complete addresses based on the reading of statute requirements. Attorney Lett stated he advised the objection petition be accepted based on his findings of the petition signatures being tax payers in Martin County.

Attorney Lett read aloud the Council findings to numbers one and four of the petition that was filed in objection to the 2022 budget. The finding stated that the budget is sustainable without the out of county inmate revenue. He went on to read that the objection did not include the miscellaneous revenues that the county receives in the estimated amount of approximately $1,760,684.00. Only the property tax estimated revenue was included in the petition of objection. The total estimated revenue of $3,576,939.00. The miscellaneous revenues are estimated on a conservative basis. In response to number four of the petition it was stated that the lack of a growing tax base and the effects of COVID-19 have obligated the County to increase income taxes in order to fund much-needed services for the entire county. The county recognizes it has a higher local income tax rate than its neighbors. Martin County has a large tax-exempt area of approximately 50%, Crane Naval Base occupies over 28% of the County and many of its workers do not live in Martin County, 19% of the County is forest land and approximately 11 % is Classified Forest. The County will be reviewing the income tax rate each year but at this time we do not expect a decrease can occur. Attorney Lett advised that the findings were prepared by Financial Solutions Group and the County Auditor.

Attorney Lett read aloud the findings in response to number two provided by the Surveyor. It referenced IC 36-2-12-11 which requires that the Surveyor check 5% of the corners on record annually which is equivalent to approximately 40 per year. This is an ongoing project. In 2018 eighty-three corners were located and entered into the database, in 2019- ninety-nine corners were entered into the database and in 2020 seventy-three corners were located and entered into the database. Attorney Lett advised that his research showed that it would cost at least $2000.00 per corner location to contract. He listed the other responsibilities of the Surveyor which includes but is not limited to maintaining Elevate mapping, assuring property numbers, transfers and consulting constantly with the Assessor and Auditor. He works with other surveyors within the County, DNR, Hoosier National Forests, INDOT and the Highway Department.

Attorney Lett read aloud the findings in response to number three of the petition provided by the Prosecutor. The petition did not contain evidence nor supporting evidence of misconduct. The petition failed to address or even consider that the Title IV-D role covered by the Deputy Prosecuting position. The child support division provides invaluable assistance to the citizens and children of Martin County. Including but not limited to establishing paternity, locating non-custodial parents, establishing child support, making changes to existing orders, establishing health insurance and medical support for its children. They were awarded the most improved County for the Most Overall Improvement in Federal Performance Measures for a small County. The valuable and necessary duties and responsibilities covered by the Deputy Prosecutor. Similar to other Deputies approved for the elected officials in the County, the Deputy Prosecuting Attorney steps into the shoes of the Prosecuting Attorney in representing the State of Indiana for all criminal related issues that arise in Martin County. The Deputy Prosecutor also works closely with all departments of Martin County’s and States Criminal Justice system, The Deputy Prosecutor acts as the Investigator, Advocate, Full-time IV-D Deputy along with his obligations as an Attorney representing the State and Martin County.

Attorney Lett advised the Council to accepted into record the filing of a second petition which is a Signature of Dissent to the Petition of Objection to Martin County’s 2022 Budget. The dissent petition has one hundred four signatures of taxpayers who are not in agreement with the petition of objection that was filed. The dissent petition stated four reasons of dissent to the objection petition.

All evidence presented at the adoption meeting will be uploaded to the Department of Local Government Finance along with Resolution 2021-27 approving the 2022 budget.

A motion to approve Resolution 2021-28 Martin County Solid Waste budget presented in the amount of $432,000.00 was made by Councilman Stiles, seconded by Councilman Gibson. All were in favor except for Councilman Wininger who was opposed. The 2022 budget for Martin County Solid Waste was approved.

With no further business, the meeting was adjourned at 7:28 pm with a motion made by Councilman Gibson and seconded by Councilman Wininger, all were in favor and the motion passed. The next Council meeting will be held Monday, November 1, 2021, at 6:00 pm.

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Warren Albright Randy L. Wininger

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Sheri Bowling J. Keith Gibson

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Adam Greene Barbara McFeaters

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James A. Stiles

ATTEST: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Bobbie Abel, Martin County Auditor