

## OCTOBER 25, 2010

Wabash County Council met in regular session on Monday, October 25, 2010 at the Wabash County Courthouse. Vice-Chairman Jim Kaltenmark opened with a word of prayer. Chairman Mike Ridenour led the pledge of allegiance. Ridenour called the meeting to order at 5:00 P.M. with all members present: Ridenour, Kaltenmark, Gary Nose, Ted Little, Daryl Evans, Randy Curless and Claude Markstahler. The proceedings of the meeting were recorded by Wabash County Auditor Jane Ridgeway. Council thanked Commissioners for the new window shades in the Commissioners' Meeting Room.

The first order of business was to review the minutes of the September 13, 2010 meeting. Evans noted there was a 3-0 vote on page two that should have been a 7-0 vote. Curless made a motion to approve the minutes with the correction; his motion was seconded by Kaltenmark and passed by a 7-0 vote.

The next order of business was to address the Additional Appropriation requests as advertised:

### ADDITIONAL APPROPRIATIONS ORDINANCE 2010 NO XI

WHEREAS, it has been determined that it is now necessary to appropriate more money than was appropriated in the annual budget; now, therefore:

SEC. 1, Be it ordained by the Wabash County Council of Wabash County, Indiana, that for the expenses of the taxing unit the following additional sums of money are hereby appropriated out of the funds named and for the purposes specified, subject to the laws governing the same:

	Amount Requested	Amount Appropriated	AYE	NAY
<b><u>COUNTY GENERAL FUND #0001</u></b>				
<b>Sheriff</b>				
<b>0001-0005-01-412-022 Personal Services</b>				
– AACTION Payroll – (Overtime)	\$ 2,100	\$ 2,100	7	0
Claude; Nose and passed by a 7-0 vote.				
<b>0001-0005-04-444-044 Capital Outlay</b>				
– Other Equipment	\$ 900	\$ 900	7	0

Requesting that money from the AACTION Enforcement Grant (0111 1111 03 439 110) be appropriated into the ACCTION Payroll account to be used for enforcement of a Drug Free Community.

Evans made a motion to approve request; his motion was seconded by Curless and passed by a 7-0 vote.

<b>Jail</b>				
<b>0001-0033-03-439-023 Other Services and Charges</b>				
– Inmate Medical	\$ 35,928	\$ 35,928	7	0

An invoice was received totaling \$41,920.49 from Health Professionals for severe diabetic's hospital expenses that were above our annual cap; requesting this amount to cover expense.

Striker stated this occurred within the jail and was outside the budget. Little noted \$54,000 was spent on one inmate. Little stated we care for the basic needs of inmates but this inmate's medical condition deteriorated and hospitalization was needed thus the excess amount. Striker stated how legislation is written; if the inmate requires or needs medical attention it must be provided. Legislation will need to be changed to address this and it is currently being discussed. Ridenour asked if this could be negotiated. Striker stated Health Professionals L HPL is working with the St. Joseph Hospital in Fort Wayne to lower the amount as well as working with Medicaid rates. Striker stated the remaining budget balance will allow for two more payments this year. Ridgeway stated the regular monthly payment is \$7,500 per month and there is sufficient funding to pay the remaining amount due on the agreement but not enough for this excess. Ridgeway asked if there might be funding from the Diabetes Foundation for payment. She noted this has been paid by HPL but it has not been reimbursed by the county. Evans made a motion to approve request; his motion was seconded by Kaltenmark and passed by a 6-1 vote; Little opposed.

**MOTOR VEHICLE HIGHWAY FUND #0002-00038**

<b>0002-0038-01-413-073 Personal Services</b>				
– Hospital Insurance	\$12,739	\$12,739	7	0

The amount requested is an estimate of what is needed to pay the premiums for the remainder of 2010. \*The requested amount was originally \$16,000. In error, the Auditor advertised at the \$12,739. The remainder, \$3,261.04, will be advertised and an Additional Appropriation presented at the December 6<sup>th</sup> Council meeting.

Little made a motion to approve the request; his motion was seconded by Curless and passed by a 7-0 vote.

**WABASH COUNTY POLICE PENSION FUND #0022**

<b>0022-0000-01-413-074 Personal Services</b>				
– Sheriff's Pension Fund – August, 2010	\$ 1,755	\$ 1,755	7	0
<b>0022-0000-01-413-074 Personal Services</b>				
– Sheriff's Pension Fund – September, 2010	\$ 1,836	\$ 1,836	7	0

These are the Civil Process Collections for the month of August 2010: Clerk's Office civil process collections \$1,716 and the Sheriff Dept. civil process collections \$39.

Little made a motion to approve request; his motion was seconded by Curless and passed by a 7-0 vote.

**E-911 LANDLINE FUND #0054**

<b>0054-0000-05-451-001 Unappropriated</b>				
– Insurance Claim Reimbursement	\$ 56,931	\$ 56,931	7	0

The new Central Dispatch Center was struck by lightning on August 3, 2010. This is the amount of the insurance check we received to pay for the damages. There is a \$5,000 deductible that will be paid from E-911 Landline Capital Improvements to equal the total amount of the claim.

These are funds received from the insurance company need to be appropriated to the proper fund for payment. Markstahler made a motion to approve the request; his motion was seconded by Nose and passed by a 7-0 vote.

**EMA GRANTS FUND #0150**

<b>0150-0000-05-451-006 Capital Outlay</b>				
– Communication Technology Equipment	\$ 3,750	\$ 3,750	7	0

Wabash County Emergency Management has been awarded a performance grant for 2010 for exceeding Homeland Security Assessment requirements. Wabash County EMA placed in the top 3% of 92 EMA programs in the State. The funds will be used to further the local county program. We plan to use the grant funds to enhance our interoperable communications technology with the purchase of two (2) large wall monitors, one (1) desktop computer and six (6) copies of Microsoft Office 2010 to upgrade to the same level as the State.

Ridenour extended his thank you to EMA Director Bob Brown for his vigilance in obtaining grant funds for Wabash County. Little made a motion to approve request; his motion was seconded by Evans and passed by a 7-0 vote.

**HEALTH – IP 184-68 IMMUNIZATION PROGRAM GRANT FUND**

<b>0197-0000-02-421-012 Supplies –Printing</b>	\$ 2,119	\$ 2,119	7	0
<b>0197-0000-03-439-022 Postage</b>	\$ 1,141	\$ 1,141	7	0
<b>0197-0000-03-436-062 Equipment Repair</b>	\$ 5,000	\$ 5,000	7	0

The purpose of the grant is to increase immunization rates and decrease vaccine-preventable disease incidence rates. The budget proposed was set by the grantees.

Dr. Dean Gifford stated that this grant period is from October 1, 2010 thru December 31, 2010. The immunizations are for Wabash County children from kindergarten to high school seniors. For Your Information papers will be printed in colored ink and handed out to the parents. Markstahler made a motion to approve request; his motion was seconded by Curless and passed by a 7-0 vote.

This was presented to the Wabash County Council, read in full and adopted on the 25<sup>th</sup> of October, 2010 by the above aye and nay vote.

The next order of business was to address the following Transfer Requests as presented:

**TRANSFER RESOLUTION  
NO. 2010-15**

WHEREAS, it has been determined that it is now necessary to appropriate more money than was appropriated in the annual budget; NOW, THEREFORE:

SEC. 1 Be it ordained by the Wabash County Council of Wabash County, Indiana, that for the expense of said county government and its institutions for the year ending December 31, 2010 the following additional sums of money are hereby transferred and ordered set apart out of the several funds herein named and for the purposes herein specified, subject to the laws governing the same:

	Amount Requested	Amount Appropriated	AYE	NAY
<b>DECREASE:</b>	<b>COUNTY GENERAL FUND – SUPERIOR COURT</b>			
0001-0036-03-431-033 Pauper Counsel – Conflict	\$600.00	\$600.00	7	0

SEC. 2 WHEREAS, it has been shown that certain existing appropriations now have unobligated balances which will not be needed for the purposes for which appropriated, it is further resolved that the following existing appropriations be reduced in the following amounts:

<b>INCREASE:</b>	<b>COUNTY GENERAL FUND – SUPERIOR COURT</b>			
0001-0036-02-421-011 Office Supplies	\$600.00	\$600.00	7	0

This request is due to a shortfall in Office Supplies budgeted.

Evans made a motion to approve request; his motion was seconded by Nose and passed by a 7-0 vote.

This was presented to the Wabash County Council, read in full, and adopted on the 25<sup>th</sup> day of October, 2010, by the above aye and nay vote.

**TRANSFER RESOLUTION  
NO. 2010-16**

WHEREAS, it has been determined that it is now necessary to appropriate more money than was appropriated in the annual budget; NOW, THEREFORE:

SEC. 1 Be it ordained by the Wabash County Council of Wabash County, Indiana, that for the expense of said county government and its institutions for the year ending December 31, 2010 the following additional sums of money are hereby transferred and ordered set apart out of the several funds herein named and for the purposes herein specified, subject to the laws governing the same:

	Amount Requested	Amount Appropriated	AYE	NAY
<b>DECREASE:</b>	<b>COUNTY GENERAL FUND – SUPERIOR COURT</b>			
0001-0036-03-431-065 Leases/Service Contracts	\$1,456.00	\$1,456.00	7	0
*0001-0036-04-444-044 Other Equipment	\$1,144.00	\$1,144.00	7	0

SEC. 2 WHEREAS, it has been shown that certain existing appropriations now have unobligated balances which will not be needed for the purposes for which appropriated, it is further resolved that the following existing appropriations be reduced in the following amounts:

<b>INCREASE:</b>	<b>COUNTY GENERAL FUND – SUPERIOR COURT</b>			
0001-0036-02-422-018 Law Books	\$2,600.00	\$2,600.00	7	0

This request is due to a shortfall in budgeted account. \*Superior Court was able to get a new printer, FREE, through JTAC. Money was already transferred before we got the okay from JTAC for printer. The money is no longer needed to purchase equipment.

Nose made a motion to approve request; his motion was seconded by Curless and passed by a 7-0 vote.

This was presented to the Wabash County Council, read in full, and adopted on the 25<sup>th</sup> day of October, 2010, by the above aye and nay vote.

**TRANSFER RESOLUTION  
NO. 2010-17**

WHEREAS, it has been determined that it is now necessary to appropriate more money than was appropriated in the annual budget; NOW, THEREFORE:

SEC. 1 Be it ordained by the Wabash County Council of Wabash County, Indiana, that for the expense of said county government and its institutions for the year ending December 31, 2010 the following additional sums of money are hereby transferred and ordered set apart out of the several funds herein named and for the purposes herein specified, subject to the laws governing the same:

	Amount Requested	Amount Appropriated	AYE	NAY
<b>DECREASE: COUNTY HEALTH FUND</b>				
<b>0010-0000-02-421-020 Computer Supplies</b>	<b>\$664.53</b>	<b>\$664.53</b>	<b>7</b>	<b>0</b>

SEC. 2 WHEREAS, it has been shown that certain existing appropriations now have unobligated balances which will not be needed for the purposes for which appropriated, it is further resolved that the following existing appropriations be reduced in the following amounts:

<b>INCREASE: COUNTY HEALTH FUND</b>				
<b>0010-0000-03-431-067 MPS-Perry</b>	<b>\$664.53</b>	<b>\$664.53</b>	<b>7</b>	<b>0</b>

This request is to move funds into a specific account for payment of the MPS Perry Corporation agreement so that savings can be accurately tracked.

Auditor Ridgeway stated this is for an agreement with the Commissioners to lower printer costs. Markstahler made a motion to approve request; his motion was seconded by Kaltenmark and passed by a 7-0 vote.

This was presented to the Wabash County Council, read in full, and adopted on the 25<sup>th</sup> day of October, 2010, by the above aye and nay vote.

**TRANSFER RESOLUTION  
NO. 2010-18**

WHEREAS, it has been determined that it is now necessary to appropriate more money than was appropriated in the annual budget; NOW, THEREFORE:

SEC. 1 Be it ordained by the Wabash County Council of Wabash County, Indiana, that for the expense of said county government and its institutions for the year ending December 31, 2010 the following additional sums of money are hereby transferred and ordered set apart out of the several funds herein named and for the purposes herein specified, subject to the laws governing the same:

	Amount Requested	Amount Appropriated	AYE	NAY
<b>DECREASE: COUNTY GENERAL FUND – CIRCUIT COURT</b>				
<b>0001-0035-03-431-022 Interpreters</b>	<b>\$320.00</b>	<b>\$320.00</b>	<b>7</b>	<b>0</b>

SEC. 2 WHEREAS, it has been shown that certain existing appropriations now have unobligated balances which will not be needed for the purposes for which appropriated, it is further resolved that the following existing appropriations be reduced in the following amounts:

<b>INCREASE: COUNTY GENERAL FUND – CIRCUIT COURT</b>				
<b>0001-0035-01-422-018 Law Books</b>	<b>\$320.00</b>	<b>\$320.00</b>	<b>7</b>	<b>0</b>

This request is to cover a deficiency in the Law Books Account.

Curless made a motion to approve request; his motion was seconded by Evans and passed by a 7-0 vote.

This was presented to the Wabash County Council, read in full, and adopted on the 25<sup>th</sup> day of October, 2010, by the following aye and nay vote:

#### **WABASH COUNTY POLICE PENSION PLAN - Amendments**

County Attorney Steve Downs stated there were two amendments that need to be addressed. A draft was submitted by McCready & Keene regarding the specification of the employer of the plan from Sheriff to Wabash County which was approved September, 2010. Downs stated McCready & Keene submitted the Pension Plan, three (3) other documents; two (2) trust agreements and one (1) supplemental plan that he has not seen until today and will need more time to review and will present at a later date. The second amendment to address was changing the age of retirement from 55 to 50 with no COLA. Downs presented an amended Pension Plan that lowers the age on January 1, 2010. Nose asked why this date was chosen. Downs stated this is the date that Sheriff Leroy Striker will agree to. Striker stated this date was recommended by McCready & Keene and alleviates concerns with the IRS. Downs stated he does not agree that there are any concerns with the IRS. Little made a motion to approve amendment to the Pension Plan; his motion was seconded by Kaltenmark and passed by a 6-1 vote; Ridenour opposed.

Ridenour opened the floor for Bonnie Corn regarding the Wabash County Hospital funding and Paul Lewis regarding justification of the age of retirement regarding the Sheriff's Pension Plan.

#### **ANNUAL HEARING FOR REVIEW OF WABASH COUNTY LOIT TAX RATE & DISTRIBUTION**

##### **1. Levy growth replacement:**

- LOIT was adopted in 2007 and took affect in 2008. It was originally to be set at .2% and was increased per State to .4% to create the Stabilization Fund.
- The DLFM mandates for year one (1) and year two (2) of LOIT that the Council must adopt the certified rate. The third year of LOIT the Council can decide to maintain the current rate or increase to the State recommended amount. The current rate is set at .4% and the State has recommended an increase to .47%. The amount cannot be reduced or rescinded.
- Ridenour stated he felt the original intent for the .4% was for monies to be placed in the Stabilization Fund for one year not to continue to add to the fund and watch it grow without the ability to access these funds. Legislation needs to be written that

would allow the fiscal body to utilize the Stabilization Fund as seen fit for the county.

- Ridenour stated by the end of 2010 the stabilization fund is estimated to have a total of \$3.5 million. Auditor Ridgeway stated the amount going into the fund each year is decreasing and could continue to decrease.
- Nose made a motion to maintain the current levy freeze income tax rate at .4%; his motion was seconded by Evans and passed by a 7-0 vote. According to the State recommendations this is considered Option #2. Options are as follows:

**Option 1:**

Adopt the Department-certified income tax rate and keep the levy frozen. If this option is selected, the levy growth factor on operating funds would be 0% and the growth would be fully funded from income tax.

**Option 2:**

Keep the income tax rate the same and keep the levy frozen. If this option is selected, the levy growth factor on operating funds would be 0% and the revenue raised from the income tax rate would be distributed in proportion to the levy freeze amount calculated under I.C. 6-3.5-1.5. For example, if the total levy freeze amount in the county were \$1,000,000 and the income tax revenue were \$750,000, each unit within the county would have only 75% of its growth funded with income tax revenues. The remaining growth would not be funded from current-year revenues. Pursuant to I.C. 6-3.5-1.1-24(o) and I.C. 6-3.5-6-30(o), money may be distributed from the county stabilization fund if the certified distribution for levy freeze is less than the freeze amount for that year.

**Option 3:**

Keep the income tax rate the same and allow the levy growth to come from property taxes. If this option is selected, then the levy growth factor on operating funds is 2.9% and the revenue generated from the income tax funds prior year growth only. Pursuant to I.C. 6-3.5.1-24(o) and I.C. 6-3.5-6-30(o), money may be distributed from the county stabilization fund if the certified distribution for levy freeze is less than the levy freeze amount for that year.

**2. Adjusted gross income tax:**

- The rate for the 2009 pay 2010 was set at 1%
- The allocation for the 2009 pay 2010 was distributed 60% PTRC (all parcels) and 40% qualified residential (parcels that could be a homestead).
- Darren Bates of DataPitStop reviewed the Circuit Breaker Cap Worksheet with projected loss levels regarding different allocation options.

- After much discussion, Kaltenmark made a motion to keep the adjusted gross income rate at 1% and to keep the allocation ratio at 60/40; 60% PTRC and 40% Qualified Residential; his motion was seconded by Evans and passed by a 7-0 vote.

**Council Reviewed:**

**September 30, 2010 Auditor and Treasurer Financial Reports**

Curless made a motion to adjourn the meeting; his motion was seconded by Little and passed with a 7-0 vote.

**The following individuals attended the October 25<sup>th</sup> Council meeting:**

*\*If any names are spelled incorrectly, we apologize.*

Sheila Rhoades	Bonnie Corn	Steve Downs
Bob Land	Elaine Martin	Alison Downs
Luella Krom	Darren Bates	Paul Lewis