

## APRIL 25, 2011

Wabash County Council met in regular session on Monday, April 25, 2011 at the Honeywell Center in the Crystal Room. Claude Markstahler opened with a word of prayer. Chairman James Kaltenmark led the pledge of allegiance and called the meeting to order at 5:00 P.M. with all members present: Kaltenmark, Markstahler, Gary Nose, Jeff Dawes, Ted Little, Daryl Evans and Randy Curless. The proceedings of the meeting were recorded by Wabash County Auditor Jane Ridgeway.

The first order of business was to review the minutes of the March 28, 2011 meeting. Curless made a motion to approve the minutes as presented; his motion was seconded by Dawes and passed by a 6-0 vote.

Bill Konyha, Executive Director of Wabash County EDG:

1. Held a Public Hearing for the Novae Tax Abatement:
  - A. NOVAE purchased the former Dexter Axle facility east of North Manchester which is an 88,000 square feet facility on 73 acres of land
  - B. A primary incentive to choose Wabash County was the tax abatement.
  - C. In return, NOVAE would retain 28 employees from a current facility and agree to hire 50 new employees in an 18 month period with an average salary of \$15.40 per hour with payroll at \$1,600,000. Konyha stated they currently employ 77 and have placed an ad to continue to hire last week.
  - D. The total Capital Investment would be \$989,990.
  - E. EDG has a Tax Abatement Evaluation Point System that outlines the time line of the abatement. NOVAE scored 56 points on the system which qualifies them for a ten (10) year tax abatement.
  - F. Tax rate of 1.5911 (which will fluctuate) at 30% will bring new property abatement net of \$22,102.94 over the life of the abatement. It will provide \$4,557 after completion of the abatement.
  - G. Local payroll taxes based on \$1,600,000 – Local income taxes will take in \$508,067 over the ten (10) year abatement assuming 100% Wabash County employees. Konyha stated currently 40% of the employees are Wabash County employees which would still accumulate over \$200,000.
  - H. There are certain findings that must be in place in order to award tax abatement:
    1. New equipment that is used directly in production manufacture fabrication assembly, extracting, mining, processing, refining or finishing or other tangible property including that used in disposal of solid hazardous wastes.
    2. There is new research and development equipment.

- 3. Of this new equipment, it must never have been used, taxed or deducted in the State of Indiana – this is to show that no corporation’s equipment will be moved from community to community to receive tax abatements.
- 4. The area in Chester Township was also found to be undesirable or impossible for normal development due to lack of development, deterioration, age, obsolescence of facility and other factors that prevent normal development and use of the property.
- 5. This was all based on the poor economy and difficulty finding an organization that could utilize this size of a facility.
  - I. NOVAE will submit a report called a CF-1 annually to the Auditor’s Office that will be presented to EDG and the Wabash County Council for review.
  - J. Employee information is verified through IRS reports.
- 2. Presented Resolution 85-05, 2011 Designating an Economic Revitalization Area and Qualifying Personal Property of Novae Corp. for Tax Abatement. Evans made a motion to approve the first reading of Resolution 85-05, 2011; his motion was seconded by Nose and passed by a 7-0 vote.

Steve Downs, County Attorney, presented an update on the Sheriff’s Pension Fund amendments. Downs stated he spoken with Elaine Beaty of McCready & Keene to discuss the agreement which Downs stated has one issue; the effective date. The original agreement was to drop COLA, place the age at 55 and place Wabash County as employer at 1/1/10 but the agreement presented was set at 1/1/11. Downs stated he has resubmitted this agreement to McCready & Keene to change the effective date to the 1/1/10 as was originally agreed. Down stated he will present the corrected agreement at the May Council meeting. Downs stated he is also looking at the fees. Wabash County Sheriff Bob Land stated 72 Indiana counties are with McCready & Keene about 80%, but he is looking at other options for an actuarial.

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

**ADDITIONAL APPROPRIATIONS  
ORDINANCE 2011 NO IV**

**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	Amount	AYE	NAY
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Requested                      Appropriated

**COUNTY GENERAL FUND # 0001**  
**COMMISSIONERS #0001-0029**

<b>0001-0029-01-431-040 Other Services and Charges</b>				
– Sheriff’s Pension Fund Actuarial Fees	\$ 5,650	\$5,650	7	0
<b>0001-0029-01-431-093 Other Services and Charges</b>				
– Sheriff’s Pension Fund Trustee Fees	\$ 8,400	\$ 8,400	7	0

Both of the amounts requested are to pay the expenses for Actuarial valuations, Trustee Bank Fees and reports of the Sheriff’s Pension Fund.

Auditor Ridgeway stated that in the past this was not separated from the contributions. This is the best audit trail for the expense of these fees and it will allow the contributions to be paid in a timely manner. By doing this we are setting up a specific line item to pay this from the County General Fund. Little asked if these are accurate 2010 fees. Commissioners, Ridgeway and Sheriff Land agreed the fees should be accurate. Ridgeway stated this amount requested for actuarial fees is the current bill and the bank trustee fees are pro-rated throughout the year. Only if there is additional work requested should the fees run higher. Land stated the contributions will be on a monthly basis. There was one in February and two will be submitted in May. Markstahler made a motion to approve separating payments into actuarial fees, trustee fees and contributions and for the approval of the appropriation request; his motion was seconded by Little and passed by 7-0 vote.

**PROBATION DEPARTMENT # 0001-0037**

<b>0001-0037-04-444-040 Capital Outlay</b>				
– Computer Equipment	\$ 5,000	\$ 5,000	7	0

Council approved the Transfer of Funds on March 28, 2011, but this was filed too late for the legal advertisement for the Additional Appropriation for March. The funds are to purchase a new server, appropriate back-up and labor for the Probation Department. The existing server is approximately nine (9) years of age and recently experienced critical fault.

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

**PROSECUTOR’S PRE-TRIAL DIVERSION FUND #0101**

<b>0101-0001-03-431-099 Other Services and Charges</b>				
– Other, Miscellaneous Expenses	\$ 5,000	\$ 5,000	7	0

The Additional Appropriation is a new line item which would include miscellaneous expenses, services or charges as needed for the operation of the Prosecutor’s Office and in conformity with the purposes set forth in I.C. 33-37-8-6(b).

<b>0101-0001-04-444-042 Capital Outlay</b>				
– Office Equipment	\$ 15,000	\$ 15,000	7	0

**This Additional Appropriation Request is needed to purchase items for the Wabash Circuit Courtroom; specifically to install a recessed screen, a high definition projector and speakers, and also to purchase an Elmo digital visual presenter. The cost is approximately \$15,000.**

Prosecuting Attorney William Hartley Jr. stated there is a need for audio video equipment for the courtrooms; the current system is cumbersome. Hartley stated all the fees are non-taxpayer monies that come from user fees collected from offenders. The Elmo is a projector that will be used during the trial to allow jurors to view a specific item like a gun, without having to touch the item. Hartley stated he will do his best to use local businesses when purchasing equipment. Nose made a motion to approve both requests; his motion was seconded by Dawes and passed by a 7-0 vote.

**COUNTY HEALTH H1N1 GRANT FUND # 0190**

<b>0190-2011-04-444-044 Capital Outlay</b>				
<b>- Other Equipment</b>	<b>\$ 850</b>	<b>\$ 850</b>	<b>7</b>	<b>0</b>

**This request is for a portable unit used to transport vaccine needed in preparedness situations. The unit is powered by a compressor. It stores up to 6/1 liter solutions and temperatures range from 5 to 113 Fahrenheit. This has been approved through the H1N1 Extension Grant.**

County Health Officer Dr. J. Dean Gifford stated this request is for an amendment to the H1N1 grant for an increase of \$850 for a portable refrigerator/freezer for vaccines. This machine is run off of a vehicle battery and will be used in an emergency requiring a remote location. This will complete the use of this grant which started October 1, 2010. Little made a motion to approve request; his motion was seconded by Curless and passed by a 7-0 vote.

**RAINY DAY FUND # 0148**

<b>0148-0000-01-412-073 Personal Services</b>				
<b>- Sheriff's Pension Fund 2011 Contributions</b>	<b>\$ 150,000</b>	<b>\$ 150,000</b>	<b>7</b>	<b>0</b>

**This request is a portion of the recommended contributions from McCready – Keene for 2011 to the Wabash County Police Pension Fund for the Sheriff's Merit Deputies Retirement Plan.**

Auditor Ridgeway stated this was created last year. This amount allows us an appropriation balance to pay on a quarterly basis. Nose stated this item also needs to be placed in the 2012 budget. Markstahler made a motion to approve request; his motion was seconded by Evans and passed by a 7-0 vote.

**AUDITOR'S PLAT BOOK FUND #0170**

<b>0170-0000-04-444-042 Capital Outlay</b>				
<b>- Other Equipment</b>	<b>\$ 1,000</b>	<b>\$ 1,000</b>	<b>7</b>	<b>0</b>

**As of March 31, 2011, we have a balance of \$16,995 in the Auditor's Plat Book Fund. We need to purchase another bookcase and/or locked storage file cabinet for accounting binders and required records of the Auditor's Office.**

These funds are from the plat fee collections not taxpayer dollars. Little asked if the Auditor's office would be able to scan documents electronically. Ridgeway stated we do not have the capability to scan and save documents at this time. It is a legal and a viable option in the future and possibly can be investigated once the Health Department's scanning equipment is set up. Currently all paper records are kept and stored per State requirements. Ridgeway stated EMA Director Bob Brown was able to acquire a desk for a cost of \$100 from the State Surplus Sale for the GIS Deputy and this will also be purchased from these funds. Curless 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> of April 2011, by the above aye and nay vote.

The next order of business was to address Transfer requests:

**TRANSFER RESOLUTION  
NO. 2011-7**

**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, 2011 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>WABASH COUNTY CEDIT</b>				
0121-0000-04-444-008 Co. Farm Infrastructure	\$18,500.00	\$12,500	6	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>WABASH COUNTY CEDIT</b>				
0121-0000-03-439-128 EDG - Consulting Services	\$ 6,000.00		Tabled	

This request is to work with former Indiana Representative Bill Ruppel for a one (1) year contract to assist with the attaining grants. Little asked why we are paying for something that someone should do for free. Commissioner Brian Hauptert stated Ruppel has contacts and knows where to look for possible grants. Eppley stated this is not guaranteed. Eppley stated EDG is branching out in other entities that will look into

avenues beyond local efforts. Residents Corky Ross, Bonnie Corn and Mike Ridenour expressed their concerns and ideas regarding this request.

0121-0000-03-439-129 EDG

- Capital Investment Project Services	\$12,500.00	\$12,500	6	0
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Commissioner Barry Eppley stated that the funds are for supporting a perspective business which could bring a \$12 million dollar capital asset with 150 jobs at an average wage of \$16 per hour. Nose stated we have lost 10% of our population and need to do something. In this day and age to even be considered by corporations you have to be a part of these programs or you will have no opportunity at all. Eppley stated we gave pre-knowledge supporting funds toward the NOVAE Corporation and they did move to Wabash County. Evans stated this was done for NOVAE who employees 77 and Living Essentials who employees 350 individuals. Nose stated the funds that will be used are set up by the State (CEDIT). The funds are held and already exist and no taxes need to be raised or created to make payment. Several residents offered advice, opinions and questions regarding this request. Little made a motion to approve the \$12,500 and to table the request for \$6,000 until more information is obtained; his motion was seconded by Evans and passed by a 6-0 vote; Kaltenmark abstained citing a conflict of interest.

**This was presented to the Wabash County Council, read in full, and adopted on the 25<sup>th</sup> day April, 2011, by the above aye and nay vote.**

Steve Johnson, Executive Director of the Wabash County Solid Waste Management District presented the monthly report:

1. The Advisory Committee has four new members
2. Drop-off volumes for March are at 110,000 tons up from 88,900 tons from the month before
3. Electronics sent out; 21,000 pounds – no payment is made from these electronics; exploring options for medical sharps to be collected.
4. Visitor numbers have stablized
5. Appliances and electronics will be also taken from smaller municipalities
6. Laketon, Lagro and Roann have requested joining the drop-off program
7. Solid Waste has received about 25 phone calls regarding the special assesment user fee – half are supportive and half unsupportive – they do appreciate the cost values that are currently provided
8. Received 13 requests to have the assessment repealed; 6 are justified – working closely with Auditor, Assessor and Treasurer’s Office to have these addressed. Example; a few are out-of-town individuals who were placed in error on the city fee

9. There is a \$33 garbage fee and a \$12 curb side fee per year for North Manchester
10. Markstahler stated a better system of payment needs to be laid out. Nose stated one apartment complex should not pay one fee but each unit should pay a fee. Johnson stated there are always bugs and changes that need to be worked out and reviewed.
11. The contract with Wabash Valley Refuse allows them to keep any proceeds.
12. Wabash Valley Refuse is a regional carrier and does bring in trash and recycling items from other counties.
13. Nose stated there are state statutes set up that mandate each county have a regional Solid Waste District. The Solid Waste Board meets every second Monday of the month at the Solid Waste facility.

LOHUT Wheel Tax Consideration:

Highway Superintendent John Martin said the State has cut revenues over the last several years which forced the Highway Department to do less maintenance on the county roads. Wabash County has 735 miles of roads; 713 are paved. In 2007 Wabash County was on a 5-7 year cycle which covered 120 miles of road per year. We are currently doing a 12-14 year cycle on 53 miles of road per year. This cycle will not allow for the roads to be properly maintained which may result in converting paved roads back to gravel roads. This would be determined by what businesses, schools, emergency routes and the number of residents are on a road to determine which will be paved or graveled. The roads are already showing signs of excess wear with pot holes and will eventually start to crumble. Little stated in 2006 the Highway funding from the State was \$2,605,250 by 2010 they were down to \$1,890,338. That is a 27% decrease in available funds. We do not want to create a tax but we have a funding problem. Residents expressed their concerns, opinions and ideas regarding LOHUT. Markstahler stated the funds that we have appropriated tonight are already set up and are not new amounts being spent that were not already part of a set budget. Nose expressed his appreciation to all individuals attending the meeting and invited the public to attend the budget meetings when the budgets are being set for the next year. Markstahler stated collection of LOHUT if passed by July 1<sup>st</sup> this year would not be collected until 2012. Nose made a motion to postpone this for one year – not to have a LOHUT Tax in 2012; his motion was seconded by Markstahler. Little stated it is irresponsible to take a vote to postpone this without all the facts. Nose said one year is going to hurt just like every other year hurts, but there has got to be a limit. The economy is down and people are hurting. Nose stated we will not have gravel roads next year but if we put this off for too long it will happen. Nose stated he is hopeful that a turn around in the economy will happen to allow for the recession to end. Little stated he does not want this to be

voted down without it being reviewed because the road issues are not going away. We need to work with the Highway Department and have a management plan. Nose stated this vote would allow us an entire year to create a plan. Markstahler stated the Council's job is to raise the money for the roads and the Commissioners are responsible to make sure the roads are maintained and direct the highway department to implement this maintenance. Commissioner Haupert stated this will push back collection and implementation for three (3) years. Nose said a committee needs to be created to deal with a plan of action. Kaltenmark asked for a vote on the motion on the table; it passed by 7-0 vote.

Jim Dixon expressed his appreciation on how the Council handles Wabash County Tax Dollars. Paul Lewis expressed his concerns on how CEDIT funds are spent.

**COUNCIL REVIEWED:**

- March 2011 Auditor and Treasurer Financial Reports
- Annual Report of the Public Defender Board of Wabash County for the year ending 2010

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

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

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

Commissioners: Scott Givens, Brian Haupert and Barry Eppley

Louella Krom	John W. Yoakum
Vonell Krom	Bonnie Corn
Paul Lewis	Lyn Ridenour
Jim Dixon	Jon Ridenour
Shirley Sparks	Clara King
Don Branson	Lee Tackett
Tom Wilcox	Mike Ridenour
JD Downey	Edith Johnson
Lindsey Johnson	Corky Ross
Todd Dazey	Teresa Witkoske
Stan Lawrence	Harold Corn
Sheila Rhoades	