

MAY 23, 2011

Wabash County Council met in regular session on Monday, May 23, 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. Kaltenmark called the meeting to order at 5:00 P.M. with six members present: Kaltenmark, Markstahler, Gary Nose, Jeff Dawes, Ted Little and Daryl Evans. Randy Curless was not present. 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 April 25, 2011 meeting. Evans 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, presented the Novae Tax Abatement – Second Reading: Proposed Resolution Designating an Economic Revitalization Area and Qualifying Personal Property of Novae Corporation for Tax Abatement. Markstahler extended his appreciation to EDG and Konyha for all the hard work on this and other projects that have benefited Wabash County. Little made a motion to approve the second reading of Resolution #85-05-2011; his motion was seconded by Markstahler and passed by a 6-0 vote.

Steve Downs, County Attorney:

1. Presented the Restatement of the Wabash County Police Retirement Plan. Downs stated there was one item changed at request by the merit board; article 11 on page 30 regarding the termination or suspension of the plan...it adds the merit board as being a portion of approval with the Sheriff's Department decision. It will be approved by Council, then to Sheriff, then to the Merit Board for final approval. The main change is the date of execution; January 1, 2010. Council extended their appreciation for all the time and efforts to properly finalize this agreement. Evans made a motion to approve Resolution 85-06-2011; his motion was seconded by Little and passed by a 6-0 vote.
2. Presented a draft ordinance regarding allowance to the public to purchase copy of documents on-line. SBOA requested this ordinance be established. Wabash County Recorder Lori Draper stated the fees collected will off-set the cost of computer maintenace agreement. Draper stated the documents are available as far back as 2002 and back index continues to allow for more history. This is mostly for banks requesting information regarding mortgage releases. Draper stated 40 other counties use this program with Fidlar. Downs and Draper were unsure of the fee collections by Fidlar; will obtain clarification and present at the June Council meeting.

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

1. Twenty-two (22) requests have been received for assessment appeals; six (6) so far have been justified. A meeting will be held with Auditor, Assessor and Treasurer to plan for next year's collection
2. Nose asked why there are negatives on a few parts of the financial report. Johnson stated he will obtain more details on these numbers.
3. Little stated the long term liabilities are the same for this month and last month; asked if a payment has been made. Commissioner Brian Haupert stated yes this is paid on a monthly basis. Johnson stated he will request WCSW Controller Ken Alhfeld attend the next meeting for clarification.
4. Walmart requested one (1) year ago to move the drop-off site: There are three (3) drop-off sites: Vernon, Cass and Manchester Avenue
5. Visitor numbers have increased 15% over 2010 levels
6. Are currently accepting home medical sharpies and have shipped over 180 pounds

Commissioner Barry Eppley stated the the Personnel Administration Committee met May 12, 2011 and gave two (2) recommendations to the Commissioners which they approved this morning:

1. All Department Heads request a 2% across the board wage increase for all employees in their 2012 budget request.
2. All Department Heads request additional salary increases to eliminate the remaining differences between current salaries and the recommendations contained in the wage study completed in 2009 by Waggoner, Irwin, Scheele & Associates, up to a \$5,000 maximum.

Nose asked if there were any requests for changes in positions. This is being reviewed by Irwin at this time. Reclassification of certain jobs was also reviewed. Markstahler asked what will happen for those at the max of their position with a recommended 2% pay increase? Eppley stated this will be addressed at the next committee meeting.

Kaltenmark opened the floor for any public comments regarding agenda items. No comments were offered.

Stan Bagley, Laketon Sewer Project, stated IDEM has approved the Laketon Sewer District. The next step is to appoint a board: one (1) appointed by Pleasant Township Trustee, two (2) by Commissioners and two (2) by Council. Also, an attorney needs to be hired for legal representation for the Board. Bagley stated he has spoken with Attorney Steve Downs and he has agreed to offer legal assistance. Bagley presented a list of recommended names for the board; three (3)

individuals (Bill Parker, himself and Dave Hawkins) have agreed to accept appointments. The other names were submitted due to their current involvement. Little stated he would like residents of that district as board members. USDA has requested a second survey of the district. Bagley stated he has compiled a list for residents and renters of properties to begin the process. Little made a motion to appoint Bill Parker as the appointee with a term to expire December 31, 2013 and Dave Hawkins as the appointee with a term to expire December 31, 2014 to the Laketon Area Regional Sewer District Board; his motion was seconded by Nose and passed by a 6-0 vote. Pleasant Township has appointed Stan Bagley as their representative to serve a term to expire December 31, 2012.

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

**ADDITIONAL APPROPRIATIONS
ORDINANCE 2011 NO V**

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
<u>COUNTY GENERAL FUND # 0001</u>				
<u>CLERK OF THE COURTS # 0001-0001</u>				
0001-0001-03-431-000 Other Services and Charges				
- Professional Services	\$ 12,600	\$ 12,600	4	2

The Clerk's Budget does not currently have an allotted amount for professional services. I am requesting the amount of \$12,600 for the cost of Malinowski Consulting Inc., a firm that will prepare and file all Title IV-D forms, reports and claims for reimbursement of the State of Indiana on a monthly and quarterly basis. The firm will also provide consulting to the Clerk's Office to improve claiming and represent the Clerk's Office for all questions regarding said reports or auditing by the State DCS. The \$12,600 is for the years 2009, 2010 and 2011. The fee of \$4,800 is for a two (2) year retroactive claiming (2009 and 2010); and monthly fee of \$650 (\$7,800 annually) is for 2011. The retroactive claiming for 2009 and 2010 will produce a return of funds to Wabash County in the amount of \$52,154.89. The expected reimbursement starting with 2011 is approximately \$35,000 per year. Since their services are for Title IV-D work, their fees are reimbursable by the federal funds back into the General Fund at 66%. Malinowski's \$4,800 fee will get Wabash County \$52,152.89 with a net cost of \$1,632. Malinowski's annual \$7,800 fee will get Wabash approximately \$35,000 per year with a net cost of \$2,652.

Elaine Martin, Wabash County Clerk of the Courts, stated a survey was completed by the Federal Government of each state's IV-D reimbursements and it was found that data was being under reported. The State contacted all Clerks' Offices in Indiana to review all cases that are IV-D related and found that this was an accurate assessment. Thus, this request is being presented.

Documentation will be supplied each month to Malinowski Consulting Inc. to keep reimbursement collection up to date. Martin stated the process is complicated and using a vendor is necessary. Nose stated it is amazing that the State makes it so difficult that a vendor must be hired. Little made a motion to approve the request; his motion was seconded by Dawes and passed by a 4-2 vote. Nose and Markstahler opposed.

SOIL AND WATER CONSERVATION #0001-0021

0001-0021-02-421-011 Supplies – Operating Supplies \$ 1,000 \$ 1,000 6 0

In August, 2010 Soil and Waste filed a claim for the second half of their 2010 Appropriation for Operating Supplies. A check for \$1,000 was sent in error to the Solid Waste District. This error was not discovered until March of this year when Michele Sweeten, Soil and Water Program Administrator, returned from maternity leave and noticed they has not received the second half of their 2010 appropriations. We contacted the Solid Waste District office who issued us a check for reimbursement on March 17th and immediately Soil and Water was paid (March 18, 2010). This could not be an accounts payable adjustment in our financial system due to the new budget year; so the check issued in March has depleted the appropriation for 2011. I am requesting that you appropriate an additional \$1,000 in the 2011 Budget so that the full amount allocated for Operating Supplies will be available for this year.

Evans made a motion to approve request; his motion was seconded by Dawes and passed by a 6-0 vote.

DRAINAGE BOARD #0001-0024

0001-0024- 03-431-050 Other Services and Charges
 – Computer Maintenance & Training \$ 1,000 \$ 1,000 6 0

This request is for the continuation of contract for additional training.
 0001-0024- 03-436-054 Other Services and Charges

Markstahler made a motion to approve request; his motion was seconded by Dawes and passed by a 6-0 vote.

0001-0024-03-436-054 – GIS Watershed Layer \$ 10,888 \$10,888 6 0

This request is for the continuation of Contract for Time & Material. Also, this will cover an outstanding invoice from Schneider for support (time and material) to be paid from contract balance.

Eppley stated both of these need to be carried forward in the budget. Wabash County Surveyor Cheri Slee stated they were to be encumbered but had been inadvertently left out. Markstahler made a motion to approve request; his motion was seconded by Nose and passed by a 6-0 vote.

WABASH COUNTY POLICE PENSION FUND #0022

0022-0000-01-413-074 Other Services and Charges
 – Sheriff’s Pension Contributions \$ 3,706 \$ 3,706 6 0

This request is for Civil Process Collection for the month of March 2011; Clerk’s Office Civil Process Collections - \$1,820; Sheriff’s Department Civil Process Collections - \$86; Sheriff’s Sale Proceeds for March - \$1,800.

Sheriff Land extended his appreciation to Council for assistance with a decision for an inmate earlier this month. Little made a motion to approve request; his motion was seconded by Evans and passed by a 6-0 vote.

RECORDER’S PERPETUATION FUND #0098

0098-0000-04-444-042 Capital Outlay

– Office Furniture and Equipment \$ 2,000 \$ 2,000 6 0

This request is for 1 new desk and 2 chairs. The desk is very antiquated and not usable for today’s technology and work flow. The chairs are old and worn.

Recorder Lori Draper stated approval was given for a new workstation by Commissioners. Little made a motion to approve request; his motion was seconded by Nose and passed by a 6-0 vote.

WABASH COUNTY CEDIT FUND #0121

0121-0000-04-444-562 Capital Outlay

– Grossnickle Drain Funding \$ 62,500 \$ 62,500 4 2

This request is for the County’s share of funding for the Grossnickle Drain Project for Storm water Drainage Improvement. This is a county drain that runs through the Town of North Manchester. The drain tile has collapsed and the water is not flowing properly. An engineering firm has stated the project will cost \$908,944. The county is submitting for a \$400,000 grant and must have a matching amount before they can apply for the grant. The city of North Manchester stated they will contribute no more than \$190,000, the Commissioners stated the county could supply \$190,000 from the County CEDIT Funds; remainder of funds will be covered through assessment to the land owners. Ridgeway stated an internal transfer can be completed from CEDIT Minimum Security Facility totaling \$10,000 and \$137,500 from CEDIT – County Farm Structure. The remainder will need to be An Additional Appropriation Request totaling \$62,000 for the remainder of the County’s CEDIT portion for a total of \$210,000.

Commissioner Brian Hauptert stated initially this project was \$1.2 million and an application had been submitted to the State for a \$600,000 grant; it was denied. The project was scaled back to the current \$908,944 with a \$400,000 grant amount. This ditch starts through the ball diamonds and goes out past the west side of State Road 13. This will replace 2/3rds of the ditch. Nose stated he does not think this fund was set up for this type of project. Hauptert stated a portion of this will be paid by the residents; approximately \$127,000. This tile was originally placed in the 1800’s. Little made a motion to approve request; his motion was seconded by Evans and passed by a 4-2 vote. Nose and Markstahler opposed.

ENHANCED ACCESS FEE FUND (New Fund)

1154-0004-03-431-050 Other Services and Charges

– Computer Maintenance & Training \$ 8,200 Tabled

This request is to pay for computer software and Maintenance from new user fees.

Markstahler made a motion to table this request; his motion was seconded by Nose and passed by a 6-0 vote.

This was presented to the Wabash County Council, read in full and adopted on the 23rd of May 2011, by the above aye and nay vote.

COUNCIL REVIEWED:

- Increase in State mileage reimbursement from \$.40 to \$.44 per mile as of May 1, 2011. Dawes made a motion to approve increase of mileage reimbursement from \$.40 to \$.44 retro-active to May 1, 2011; his motion was seconded by Evans and passed by a 6-0 vote.
- April 2011 Auditor and Treasurer Financial Reports
- Treasurer's Spring Property Tax Collections Report – Nose asked how the uncollected recycling costs are addressed. Is there a way to enforce non-payment? Steve Johnson stated a percentage will be charged and if not collected then turned over to a collection agency. Johnson stated Darren Bates of Data Pit Stop stated 10% are not paying recycling fees. Auditor Ridgeway stated some are not paying due to appeal requests.
- Community Corrections Grant Budget for July 1, 2011 – June 30, 2012. Salary Ordinance will need to be amended due to the fact that the Community Corrections budget will end as of June 30, 2011. Council requested Community Correction Director Jeff Hobson attend the June meeting to discuss the new budget and other items. Ridgeway stated she would contact Hobson.
- SBA: Local Option Income Tax “Balance Reports 2009 Actual and 2010 Estimated
- Dept of Revenue: Quarterly LOIT Report – First Quarter 2011
- IDEM: Notice of Decision – Order Creating the Laketon Area Regional Sewer District
- 2011 First Quarter Wabash City Fire Department Report

Ridgeway stated she will be attending the Auditor's Conference this week and will update the Council on the Special Distribution of the LOIT that will be addressed at the conference.

Markstahler made a motion to adjourn the meeting at 6:43 P.M.; it passed with a 6-0 vote.

The following individuals attended the May 23rd Council meeting:

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

Commissioners: Brian Hauptert and Barry Eppley

Elaine Martin

Cheri Slee

Lori Draper

Sheila Rhoades

Bob Land

Stan Bagley

Bill Konyha

Jim Dils

Teresa Witkoske

*Approved as written – June 27, 2011