

WABASH COUNTY COUNCIL MEETING

The Wabash County Council met in session on Monday, March 26, 2018 in the Commissioner's Meeting Room of the Wabash County Courthouse. Council Chairman Randy Curless called the meeting to order at 5:00 P.M. Seven Council members were present: Curless, Matthew Mize, Lorissa Sweet, Matt Dillon, Philip Dale, Kyle Bowman and new Council member Barbara Pearson. Councilman Bowman led in a word of prayer and Curless led in the Pledge of Allegiance. The proceedings of the meeting were recorded by the County Auditor's office.

Chairman Curless requested that those present silence their cell phones and stated that all public comments regarding agenda and non-agenda items are permitted and encouraged.

The first order of business was to review the minutes of the February 26, 2018 Council meeting. Dale made a motion to approve the minutes. Dillon seconded the motion and it passed by a 5-0 vote. Sweet and Pearson were absent from the February meeting.

The next order of business was the consideration of a resolution confirming an economic revitalization area and granting real and personal property tax abatement at the request of Midwest Poultry Services, LP. Present for this request was Wabash County Economic Development Director Keith Gillenwater, and Midwest Poultry Services, president Bob Krouse and several Krouse family members. Curless asked for discussion or questions from the Council. There were none and no public comments. Dale made a motion to approve the confirming resolution #2018-85-03 as submitted. Mize seconded the motion and it passed by a 6-1 vote, with Dillon voting against.

Resolution #2018-85-03

A RESOLUTION CONFIRMING THE DESIGNATION OF AN ECONOMIC REVITALIZATION AREA AND QUALIFYING REAL AND PERSONAL PROPERTY FOR TAX ABATEMENT

Midwest Poultry Services, LP, ("Applicant") has requested the County Council of Wabash County, IN ("Council") to find, pursuant to IC 6-1.1-12.1-2 and IC 6-1.1-12.1-2.5, that a tract of land in Wabash County, IN more particularly described as follows: Property description follows.

The ("Area") is an Economic Revitalization Area and is located within the jurisdiction of the Council for the purposes set forth in IC 6-1.1-12.1-2 and IC 6-1.1-12.1-2.5.

The Applicant is planning to construct new manufacturing facilities and to install new manufacturing equipment and new logistical distribution equipment ("Project") as described in Applicant's Statement of Benefits ("Statements") previously submitted to Council.

The Council has reviewed the Statements and hereby finds that the Project as described in the Statements will be of public utility, will be to the benefit and welfare of all citizens and taxpayers of the County, and qualifies as investments for which deductions are permitted under IC 6-1.1-12.1-3 and IC 6-1.1-12.1-4.5.

Pursuant to IC 6-1.1-12.1-2 and IC 6-1.1-12.1-2.5, the Council passed Resolution No. 2018-85-01 ("Declaratory Resolution") on February 26, 2018, which designated the Area as an economic revitalization area pursuant to the Act and approved real estate and personal property tax deduction for new manufacturing equipment and new logistical distribution equipment and new logistical distribution equipment installed in the Area for up to ten (10) years.

In compliance with both codes, the Council published notice ("Notice") on March 14, 2018, describing the adoption and substance of the Declaratory Resolution and stating that, on the date hereof, the Council would hold a public hearing ("Public Hearing") at which it will receive and hear all remonstrance and objections from interested persons, with respect to the Declaratory Resolution and the Statements.

In compliance with IC 6-1.1-12.1-2.5, the County Auditor filed, with each taxing unit that has authority to levy property taxes in the Area, a copy of the Notice, the Declaratory Resolution, and the Statements.

In compliance with IC 6-1.1-12.1-2.5, and IC 6-1.1-12.1-11.3, on the date hereof, the Council held a Public Hearing at which it received, heard and considered evidence concerning the Declaratory Resolution and Statements, and any remonstrance or objections with respect to the Declaratory Resolution.

Pursuant to IC 6-1.1-12.1-2.5, IC 6-1.1-12.1-9.5, and IC 6-1.1-12.1-11.3, the Council desires to take final action confirming the Declaratory Resolution, approving the Statements and granting tax abatement.

NOW, THEREFORE, BE IT RESOLVED by the County Council of Wabash County, Indiana as follows:

Section 1. The Council hereby finds that (i) the Area is within the County, and (ii) the Area has become undesirable for, or impossible of normal development and occupancy because of a lack of development, cessation of growth, deterioration of improvements or character of occupancy, age, obsolescence, substandard buildings or equipment, or other factors which have impaired values and prevented a normal development of property and use of property.

Section 2. The Area is hereby declared to be an "economic revitalization area" pursuant to IC 6-1.1-12.1-1, et seq.

Section 3. Based on the information in the Statements describing the Project, the Council makes the following findings:

- (a) The estimate of value and cost of the Project is reasonable for projects of that nature.
- (b) The estimate of the number of individuals who will be employed or whose employment will be retained can be reasonably expected to result from the Project.
- (c) The estimate of the annual salaries of those individuals who will be employed or whose employment will be retained can be reasonably expected to result from the Project.
- (d) The estimate of the amount of solid waste that will be converted into energy or other useful products can be reasonably expected to result from the Project.
- (e) The other benefits about which information was requested are benefits that can be reasonably expected to result from the Project.
- (f) The totality of benefits is sufficient to justify the granting of real and personal property tax deductions to the Applicant pursuant to IC 6-1.1-12.1-3 and IC 6-1.1-12.1-4.5, subject to the limitations set forth in the Resolution.

Section 4. Based on the information in the Statements and the foregoing findings, the Council, pursuant to IC 6-1.1-12.1-3, and IC 6-1.1-12.1-4.5, hereby approves and allows the Applicant (i) real property tax deductions for the Project under IC 6-1.1-12.1-3 for redevelopment or rehabilitation in the Area for a period of ten (10) years, and (ii) personal property tax deductions for the Project under IC 6-1.1-12.1-4.5 for new manufacturing equipment and new logistical distribution equipment installed in the Area for a period of ten (10) years, on the following schedule:

YEAR OF DEDUCTION	PERCENTAGE
1 ST	100%
2 ND	90%
3 RD	80%
4 TH	70%
5 TH	60%
6 TH	50%
7 TH	40%
8 TH	30%
9 TH	20%
10 TH	10%

Section 5. All real and personal property comprising the Project shall be eligible for a ten (10) year property tax abatement, regardless of when it is first assessed.

Section 6. Pursuant to IC 6-1.1-12.1-9.5 and IC 6-1.1-12.1-11.3, the Council hereby waives any noncompliance related to the failure to designate the Area an economic revitalization area prior to the initiation of the redevelopment, rehabilitation, or installation of new manufacturing equipment or new logistical distribution equipment. Such waiver will not result in a delay in the issuance of tax bills, require the recalculation of tax rates or tax levies for a particular year, or otherwise cause an undue burden on a taxing unit.

Section 7. The Council hereby confirms the Declaratory Resolution.

Section 8. The Auditor of the County is hereby authorized, empowered and directed, on behalf of the County to take any other action as such individual deems necessary or desirable to effectuate the foregoing resolution, any action heretofore made or taken be, and hereby are, ratified and approved.

Section 9. The Resolution shall be in full force and effect from and after its adoption.

Adopted this 26th day of March, 2018.

COUNTY COUNCIL OF WABASH COUNTY, INDIANA
By: Randy Curless, Chairman (signed)

ATTEST: Marcie Shepherd, Wabash County Auditor (signed)

The next order of business was an informational summary of the Northeast Region IIIA Development by Executive Director Matt Brinkman. He stated that Region IIIA promotes economic and community development, transportation and housing projects within the Northeast region of Indiana. Dillon asked about the source of funding for Region IIIA. Brinkman stated that the group gets funding from the member counties and from state grants. He stated that Wabash County Commissioner Brian Hauptert is currently serving on the executive board. Council Chairman Curless mentioned that a council member still needs to be appointed as a replacement for former Council member Jeff Dawes to serve as a Council representative at the Region-IIIA quarterly board meetings and that will be done later in the meeting.

Sheriff Bob Land was present to receive comments and questions from Council concerning the "Annual Jail Inspection Report" completed by the Indiana Dept. of Corrections; copies of which had been emailed to Council members by the Sheriff. Land stated that space and overcrowding is a continuing issue for the third year and the report recommended an immediate reduction in population within the facility. An off-site female community corrections center was recommended due to lack of space within the facility. The report documented the lack of outside recreational space for inmates and the inadequate lighting that does not meet minimum requirements. Recommended for change was the current medical exam area that also serves as a training area and inmate library. Also recommended were additional jail officers for safety, security and liability concerns. Land requested, for discussion in the near future, an additional (2) two jail officers and an additional (4) four sheriff deputies. He stated that the each deputy is handling over 100 calls per month in addition to his administrative duties and all are working a swing shift in order to cover all hours. Land stated that he still has no drug task force officer and that he will be meeting with local school officials to discuss the possibility of school resource officers (SRO). Councilman Mize asked if any of the requested four new officers would be able to work as SRO officers and Land responded that he would hire officers that could do that. Mize suggested that Land work with the county's wage and salary committee so the Council would have the committee's recommendation for discussion. Councilman Dale asked about the required training for jail officers and Land stated that each jail must have 40 hours of training. Councilman Dillon asked if it would help with retention to increase salaries of existing jail officers. Land said that salary increases always help to retain employees.

The next order of business was a request to create the “Administration of Justice Fund”, a local authority/home-ruled fund to be approved by ordinance. Present for this request was Superior Court Judge Amy Cornell. She explained that the fund will supplement the court’s operating expenses and assist with the court-appointed counsels’ services on and above the amount that has been budgeted. She also explained the purpose for the “Alternative Dispute Resolution Fund” which has been assisted by a \$10,000 Family Court grant. She stated that the court currently uses dispute-resolution services from a North Manchester firm.

COUNTY COUNCIL OF WABASH, INDIANA

GENERAL ORDINANCE 2018-85-04

AN ORDINANCE CREATING THE WABASH SUPERIOR COURT ADMINISTRATION OF JUSTICE FUND

As a condition to accepting a plea of guilty to a crime pursuant to a plea bargain in the Wabash Superior Court, offenders agree to pay a sum of up to Two Hundred Dollars (\$200.00) in a Level 6 or Class D Felony cause, and/or a sum of up to One Hundred Dollars (\$100.00) in a Misdemeanor cause to a fund to supplement the Court’s operating expenses (the “Administration of Justice Fee”).

A specific fund needs to be established to receive such Fee.

NOW, THEREFORE, IT IS ORDAINED AS FOLLOWS:

1. There is now created the Wabash Superior Court Administration of Justice Fund (“Fund”).
2. All Administration of Justice Fee revenue shall be deposited in the Fund.
3. Money from the Fund may not be deposited or transferred into the County’s general fund and does not revert to the County’s general fund at the end of a fiscal year.
4. Subject to appropriation, the Wabash Superior Court may use any money in the Fund to supplement its’ operating expenses.

ADOPTED by the County Council of Wabash County, Indiana this 26th day of March, 2018.

County Council of Wabash County, Indiana
By: Randy Curless, Chairman (signed)

Attest: Marcie Shepherd, Wabash County Auditor (signed)

Dillon made a motion to approve the creation of the Wabash Superior Court “Administration of Justice Fund”. Sweet seconded the motion and it passed by 7-0 vote. Dillon made a motion to suspend the rules and pass the ordinance on the first reading of the ordinance. Bowman seconded the motion to suspend the rules and it passed by a 7-0 vote.

The next order of business was a request for reimbursement of monies to the Clerk’s Incentive Fund. County Clerk Elaine Martin was present and explained that in the course of a financial quality assurance review by the Indiana Child Support Bureau for 2016 and 2017, it was determined that Clerk’s Incentive Fund overpaid salaried amounts and other non-qualified costs using incentive monies from the Clerk’s Incentive Fund totaling \$10,178.00. Martin requested that money be transferred from the General Fund to the Clerk’s Incentive Fund in order to reimburse the money paid in error. Curless stated that this request will be addressed in the next order of business by additional appropriations to the budget.

The next order of business was to address the additional appropriations requests. Present for the requests were Clerk of the Courts Elaine Martin, Probation Officer Trisha Hanes and Solid Waste Director Jen Rankin.

ADDITIONAL APPROPRIATIONS
ORDINANCE #2018-85-01

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, 2018 the following additional sums of money are hereby appropriated and ordered set apart out of the several funds herein named and for the purposes herein specified, subject to the laws governing the same:

COUNTY GENERAL FUND– #1000

	Requested	Appropriated	AYE	NAY
Commissioners #1000-30990.000.0029	\$10,178.00	\$10,178.00	7	0

Explanation from Clerk of the Courts, Elaine Martin: to reimburse #8899 Clerk’s Incentive Fund for costs that were paid from that fund but disallowed by a 2016 & 2017 audit from the Indiana Child Support Bureau.

Dillon made a motion to approve the request. Sweet seconded the motion and it passed by a 7-0 vote.

COUNTY DRUG FREE COMMUNITY FUND/ACTION FUND– #1149

(Against Alcohol, Controlled Substances & Tobacco in Our Neighborhoods)

	Requested	Appropriated	AYE	NAY
Prevention/Education	\$ 9,750.00	9,750.00		
Treatment Intervention	\$ 9,800.00	9,800.00		
Justice	\$10,000.00	10,000.00		
TOTALS:	\$29,550.00	\$29,550.00	7	0

Explanation from Assistant Chief Probation Officer Trisha Hanes: She stated that this money is generated from offender fees. She stated that there is a variety of programs that receive funding and the committee chose to move away from supporting one-time events such as “After Prom” funding in favor of supporting on-going programs. Eight different organizations requested a total of \$36,500.00 in program funding. Total funding approved by the Aaction committee was \$29,550.00 and that total is divided into three sub-categories. Need approved appropriations to spend the funds.

Dillon made a motion to approve the request. Sweet seconded the motion and it passed by a 7-0 vote.

WABASH COUNTY SOLID WASTE MANAGEMENT DISTRICT

The solid waste district is not a county department but is under the jurisdiction of the County Council to approve budget appropriations.

	Requested	Appropriated	AYE	NAY
Professional Services/Technical	\$20,400.00	\$20,400.00	7	0

Explanation submitted by WC Solid Waste Director, Jen Rankin – requesting additional appropriations for professional services in regard to the drop site expansion project for the survey phase, schematic design phase, design development phase, construction document phase, permitting phase, landscape plan & details, and site lighting plan & details. The project includes land surveying and civil engineering for the expansion of the drop-off recycling facility with expanded parking area. The development consists of a new dumpster area, employee parking area, and storm water management area. Rankin stated that two unmonitored recycling sites (the south side and the animal shelter site) will be eliminated as a result of this new construction. She reported that too much illegal dumping is being done and the expense and time to clean up the dumping continues to increase. The new site will have better lighting and can be patrolled frequently by law enforcement.

Dillon made a motion to approve the request. Dale seconded the motion and it passed by a 7-0 vote.

In other business, the following Council members were appointed as representatives to these boards: Lorissa Sweet was appointed to serve on the GIS board/committee, Barbara Pearson was appointed to serve on the Region IIIA Development board and the County Tax Abatement board. Pearson was appointed as the Council liaison to the Assessor, Recorder, and Weights & Measures department replacing former council member Jeff Dawes.

Council reviewed:

February 2018 Auditor & Treasurer Financial Reports

February 2018 Wabash County Solid Waste Mgmt. District Income & Expense Statement

With no other business to come before the Council, Chairman Curless adjourned the meeting. The next scheduled meeting of the Wabash County Council is Monday, April 23, 2018.

The following individuals also attended the March 26th Council meeting:

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

Deputy Auditor B.J. Grube, County Commissioners Barry Eppley and Scott Givens, Attorney Steve Downs and Attorney Mark Frantz, County Treasurer Luann Layman, Sheriff's Deputy Tyler Guenin, Robert Krouse, Dan Krouse, Sally Krouse, Sam Krouse, Nick Weber, Rob Pearson, Leroy Striker, Bonnie Corn, Louella Krom, and "The Paper" reporter Josh Sigler.