

JANUARY 23, 2012

Wabash County Council met in regular session on Monday, January 23, 2012 in the Commissioners' meeting room at the Wabash County Courthouse. Claude Markstahler offered a word of prayer. James Kaltenmark led in the Pledge of Allegiance. Chairman Kaltenmark called the meeting to order at 5:00 P.M. with all members present: Kaltenmark, Randy Curless, Gary Nose, Jeff Dawes, Ted Little, Markstahler and Daryl Evans. 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 December 5, 2011 and January 3, 2012 meetings. Markstahler made a motion to approve the December 5, 2011 minutes as presented; his motion was seconded by Dawes and passed by a 7-0 vote. Evans made a motion to approve the January 3, 2012 minutes; his motion was seconded by Little and passed by a 7-0 vote.

County Attorney Steve Downs:

1. Presented proposed Resolution 2012-85-04 Authorizing Retention of Interest from the Cumulative Bridge Fund. Downs stated interest on the fund has been going into the General Fund. Due to extensive cuts to the highway budget by the State, Highway Superintendent John Martin has requested that the interest be retained in the Cumulative Bridge Fund. Markstahler made a motion to approve Resolution 2012-85-04; his motion was seconded by Nose and passed by a 7-0 vote. This had previously been approved as Resolution 2011-85-12 by the Commissioners on December 12, 2011. Due to the financial interest, Downs stated approval was needed from the County Council as well.
2. Presented proposed Ordinance 2012-85-02 creating the K2 Spice Fund. Downs stated cases have been processed and the court has assigned fees which are paid to the county. This resolution would establish a non-reverting fund for these court assessed fees to assist with expenses incurred by the county regarding K2 violations; witness fees, laboratory testing, etc. This fund is specifically created to reimburse the county for expenses incurred by K2 Ordinance 2010-85-06. Downs stated there is a second round of cases that have fallen under the State statute which is very specific. The Wabash County ordinance is broader which causes some cases to be sent back to the county level for prosecution. Curless made a motion to approve Ordinance 2012-85-02 on first reading; his motion was seconded by Little and passed by a 7-0 vote. Little made a motion to waive the rules on a second reading; his motion was seconded by Evans and Ordinance 2012-85-02 was passed by a 7-0 vote.

Michael Medock, Vice President and Christopher Shaw, Project Manager of Soil & Materials Engineers, Inc. (SME) reviewed the Brownfield Coalition and gave a project update:

1. A brownfield, according to the U.S. Environmental Protection Agency, is any real property, the expansion, redevelopment or reuse of the property which could possibly be complicated due to the presence or possible presence of pollutants, contaminants or hazardous substances.
2. The Wabash County Coalition members consist of the City of Wabash, the Town of North Manchester and Wabash County. Medock stated three (3) entities had to be submitted for the application process; any more entities would have made the application process more difficult. Commissioner Eppley stated in the future there will be efforts to include all towns in Wabash County in the coalition.
3. The U.S. EPA awarded the Wabash County Coalition:
 - a. Hazardous Substances Assessment Grant \$400,000
 - b. Petroleum Assessment Grant \$200,000
 Medock stated the grants must be spent within three (3) years. Currently there are 2½ years remaining. There was a six (6) month process to create the coalition which is actually a short time frame.
4. Medock stated the grant funds are to be used for Phase I and Phase II environmental assessments of Brownfields.
5. Once a property has been declared a Brownfield, the county can apply for a clean-up grant. Medock stated SME Inc. assists with contacting developers if the project moves to re-development.
6. Medock requested the county’s assistance in making sure all property/business owners, bankers, realtors and developers are aware of the opportunity to be considered for Brownfield assessments. Council agreed.

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

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

**ADDITIONAL APPROPRIATIONS
ORDINANCE 2012 NO I**

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:

<u>Amount</u>	<u>Amount</u>
<u>Requested</u>	<u>Appropriated</u>

COUNTY HEALTH FUND #0010 **AYE** **NAY**

Other Services and Charges – Professional Services \$ 988 \$111.21 7 0

Larry Thrush prepared this statement of account on November 2011. The statement is for a summons and complaint against a violation of the county tattoo ordinance. The shop was found and located in North Manchester. The individual owners abandoned premises and cannot be found to collect fees.

Kathryn-Carter Lower stated that funds were left in the 2011 budget to encumber to assist with the cost of this invoice and only \$111.21 would be needed to cover the remaining balance. Little made a motion to approve \$111.21; his motion was seconded by Evans and passed by a 7-0 vote.

Other Services and Charges – Contact Services \$ 144 \$114 7 0

This amount is for the 2012 server maintenance agreement that was not placed in the original budget submitted in July 2011.

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

WABASH COUNTY POLICE PENSION FUND #0022

Personal Services – Sheriff’s Pension Fund
– November 2011 \$ 1,835 \$ 1,835 7 0

This request is for Civil Process Collections for the month of November 2011: Clerk’s Office Civil Process Collections - \$975; Sheriff Dept. Civil Process Collections - \$60; Sheriff Sale Proceeds for November 2011 - \$800.

Nose made a motion to approve; his motion was seconded by Curless and passed by a 7-0 vote. Wabash County Sheriff Bob Land:

1. Presented a 2011 Sheriff’s Department status report.
2. Stated two (2) new officers will graduate in April. The Sheriff’s Department will then be fully staffed with sixteen (16) merit officers.
3. Stated the three (3) leased vehicles have arrived. They will now purchase a used 4-wheel drive Jeep.
4. Stated the GED program for inmates is working well.
5. The jail inspection will be February 21st. A report will be submitted following that review.
6. The population this morning at the jail was 82 with a peak of 92 last week. There are four (4) at Miami County and eight (8) at Community Corrections.
7. Stated an invoice was received from Miami County for October, November and December of 2011 which totals approximately \$12,000. This leaves only \$7,000 for the 2012 budget. Land stated he has requested that a monthly invoice be sent to help track expenses on a timely basis.

RECORDER'S PERPETUATION FUND # 0098

Personal Services – PT Deputy Wages	\$ 2,200	\$ 2,200	7	0
Personal Services – PERF	\$ 2,536	\$ 2,536	7	0
Supplies – Office Supplies	\$ 2,536	\$ 2,536	7	0
Other Services and Charges – Microfilm Processing	\$ 2,536	\$ 2,536	7	0
Other Services and Charges – Microfilm Conversion	\$ 3,000	\$ 3,000	7	0
Other Services and Charges – Travel/Mileage	\$ 800	\$ 800	7	0
Other Services and Charges – Equipment/Rebinding	\$ 2,000	\$ 2,000	7	0
Other Services and Charges – Computer Maintenance	\$13,000	\$13,000	7	0
Other Services and Charges – Printer Maintenance	\$ 1,810	\$ 1,810	7	0
Other Services and Charges – Copy Machine	\$ 210	\$ 210	7	0
Other Services and Charges – Dues and Conferences	\$ 1,000	\$ 1,000	7	0

This request is because part of the Recorder's salary was moved from the County General Fund to the Recorder Perpetuation Fund.

RECORDER'S PERPETUATION FUND # 0098

Other Services and Charges – Computer Equipment	\$7,456	\$7,456	7	0
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This request is for an updated server. The total cost is \$14,911.84. Because the redaction program is run thru the server, I am requesting to pay ½ the cost from the Security Protection Fund (#0155). We discussed this fund at budget time and how it has grown and we are very limited in what we can pay from this fund. The update has to be done and this is a good way to use the Security Protection Fund and save on what is taken from the Recorder's Perpetuation Fund.

RECORDER'S SECURITY PROTECTION FUND #0155

Capital Outlay – Computer Equipment	\$7,456	\$7,456	7	0
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Little made a motion to approve all three (3) requests; his motion was seconded by Nose and passed by a 7-0 vote.

DRUG-FREE COMMUNITY GRANT FUND # 0111

PREVENTION/EDUCATION:

Other Services & Charges–Manchester College- Peer Education	\$ 750	\$ 750	7	0
Other Services & Charges–Manchester College- Education Awareness	\$ 1,500	\$1,500	7	0
Other Services & Charges –Manchester Jr/Sr High School - After Prom	\$ 750	\$ 750	7	0
Other Services & Charges- Northfield High School – After Prom 2011	\$ 750	\$ 750	7	0
Other Services & Charges- Southwood High School – After Prom	\$ 750	\$ 750	7	0
Other Services & Charges–Southwood High School-Peers Ed Peers	\$ 1,500	\$ 1,500	7	0
Other Services & Charges- Wabash County Tobacco Free-Free Youth Programs	\$ 2,152	\$ 2,152	7	0

TREATMENT/INTERVENTION:

Other Services & Charges- Bowen Center – Low Income Treatment	\$ 3,000	\$ 3,000	7	0
Other Services & Charges–Hands of Hope – Victims Advocacy Services	\$ 2,500	\$ 2,500	7	0
Other Services & Charges–Manchester College- Student Treatment/Intervention	\$ 1,000	\$ 1,000	7	0
Other Services & Charges-Wabash Co. Drug Court-Testing Compliance	\$ 1,000	\$ 1,000	7	0

JUSTICE:

Other Services & Charges – Manchester College – Equipment and Staff	\$ 500	\$ 500	7	0
Other Services & Charges– Wabash Co. Sheriff Dept– Overtime Enforcement	\$ 3,000	\$ 3,000	7	0
Other Services & Charges-North Manchester Police- Training	\$ 800	\$ 800	7	0
Other Services & Charges-Wabash Co. Drug Court-Testing Compliance	\$ 2,000	\$ 2,000	7	0

Trisha Hanes, AACTION Grant Coordinator presented the 2012 AACTION Grant. Evans made a motion to approve the 2012 AACTION Grant as presented; his motion was seconded by Curless and passed by 7-0 vote.

PUBLIC HEALTH PREPAREDNESS GRANT FUND #0190

Supplies – Medical Supplies	\$ 705	\$ 705	7	0
Other Services and Charges – Contract Services	\$ 1,068	\$ 1,068	7	0
Other Services and Charges – Mileage	\$ 500	\$ 500	7	0
Capital Outlay – Equipment	\$ 8,727	\$ 8,727	7	0

This request is for Medical Supplies - paper, cartridges, pens, and glucose testing kits; Mileage – travel to monthly meetings in Fort Wayne; Contract Services – Intrasect for IT assistance; and equipment – three (3) Panasonic Toughbooks (nurses, environmental health, and environmental food), two (2) mobile printers and a storage system.

Dr. Pyle stated this is a Federal Government Health Preparedness Grant. It will help cover the cost of areas where the budget was cut. The plan is to make the Health Department more efficient. The biggest area is with Toughbook computers. These will help nursing, foods department and septic evaluations both in-house and in the field. One area that has crept up on the budget has been labor costs outside of regular staff. Dr. Pyle stated they are working on consolidating work to alleviate this issue. These items have been approved by the Department of Health and Commissioners. The expense time on this grant is August 2012. The contract service amount being requested is for computer support that will be short due to budget cuts by the State. Dr. Pyle stated the Health Department is not currently covered by the Commissioners’ technology service agreement with Intrasect Technologies. Ridgeway stated this was originally due to the fact they are physically separate from the courthouse. Little made a motion to approve requests; his motion was seconded by Dawes and passed by a 7-0 vote.

This was presented to the Wabash County Council, read in full and adopted on the 23rd of January 2012, by the above aye and nay vote.

SOLID WASTE MANAGEMENT REVIEW

Curless presented the Solid Waste Management December 2011 report:

1. The building loan balance is \$357,463. An additional \$35,000 principal payment was made at the end of the year. Curless stated the plan is to continue this practice at the end of each year until the total loan is completed.

2. Total receipts for 2011 were \$617,200 including \$267,782 for special assessments.
3. Landfill tipping fees are down 5% from 2010.
4. Council discussed recycling options, costs and pick-up sites.

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

COUNCIL REVIEWED:

- Additional Council Appointment for 2012: Wabash City Economic Development Commission Board Representative – Rob Pearson.
Kaltenmark stated Mayor Bob Vanlandingham has requested that the Council appoint a member to this commission. Evans made a motion to re-appoint Rob Pearson to continue to serve as the County Council's representative on the Wabash City EDC; his motion was seconded by Curless and passed by a 7-0 vote.
- Building Permit Reports from Wabash County Planning Commission Director Mike Howard.
 1. Permit fees were established and enacted January 1, 2003
 2. The total number of permits collected since that date is 1,653; total dollars collected \$113,697.71.
 3. The average permit fee is \$68.78.
 4. Starting in 2012, permit fees will be placed in a Demolition Fund to help cover costs related to the demolition of premises in the county as well as other related projects.
- Establish Sub-Committee for consideration of County Residential Tax Abatements: Little, Curless and Nose agreed to serve on the Tax Abatement Committee for 2012. Plan Commissioner Director Mike Howard stated the Plan Commission works toward growing the county's population with regards to new families establishing residence in Wabash County. PC would like to see abatements be given specifically to individuals who will purchase a property with a dilapidated home and either renovate or demolish it and reuse the land. PC is opposed to abatements that allow new homes to be built on existing farmland. Howard stated according to the USDA, since 1900 the average county in Indiana has lost 632 acres of farmland per year. Howard stated PC would like to see multi-tiered agricultural-zoning that would control the placement and amount of building allowed on agricultural land. Nose stated in this economy there are a number of farmers selling off pieces of land for economic reasons. Little stated people locate in certain areas due to schools, jobs, amenities in the county and a tax abatement many not even be a criteria in choosing where they will establish residency. Kaltenmark stated he would like to know how the City of Wabash abatement

program has increased jobs for the county. Kaltenmark requested an update on this issue by May 2012.

- Update on Letter to Criminal Code Evaluation Commission. Sheriff Land stated he will be in Indianapolis tomorrow and will review status and present a report at the next Council meeting on February 27th
- Update of Status on 2012 Budget. Auditor Ridgeway presented:
 1. The 1782 deadline notice was today. Ridgeway stated a few of the departments had not completed all of their entries on the Gateway website but all should be in by tomorrow.
 2. Proposed Resolution 2012-85-03 pursuant to Indiana Code 36-1-8-5.1 which would allow the transfer of unused and unencumbered funds from the General Fund 2011 budget into the Rainy Day Fund. The above statute states that no more than ten percent (10 %) of the total budget for that fiscal year can be transferred into the Rainy Day Fund. The total transfer would be \$691,406 which allows an \$875,000 cash operating balance in the General Fund and for un-appropriated expenses in 2012. Nose made a motion to approve Resolution 2012-85-03 moving funds to Rainy Day Fund; his motion was seconded by Curless and passed by a 7-0 vote.
 3. Presented the 2011 Encumbrance Requests totaling \$2,546,367.32; \$236,194.55 General Fund and \$2,310,172.77 non-General Fund. Little made a motion to approve encumbrance requests as presented; his motion was seconded by Curless and passed by a 7-0 vote.
 4. The Annual Report is moving forward. Currently awaiting the Sheriff's Pension Fund report from McCready & Keene.
- 2011 Quarterly Ambulance Report
- Presented the LOIT DVD'S
- Sheriff's Commissary Report: July - December 2011

Kaltenmark requested a note be sent to all Department Heads regarding which Council member will meet with them to review their budgets prior to the 2013 budget hearings. Ridgeway agreed to send a note to all department heads.

Commissioner Brian Hauptert stated Doug Kroft of Kroft Construction had completed the Commissioners' meeting room renovations. Part of the project incorporated the use the former judges' benches in the front of the new Commissioners' desk. Kroft took some of the remaining pieces and created a cabinet which he presented as a gift to the county. Council extended their appreciation for the gift.

Curless made a motion to adjourn the meeting and passed by a 7-0 vote.

The following individuals attended the January 23rd Council meeting:

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

Commissioners: Barry Eppley and Brian Hauptert

*Approved as written – February 27, 2012