

MAY 26, 2009

Wabash County Council met in regular session on Tuesday, May 26, 2009 at the Wabash County Courthouse. Prayer was offered by Mike Ridenour. Chairman Mike Ridenour called the meeting to order at 5:00 P.M. with all members present: Gary Nose, Jim Kaltenmark, Mike Ridenour, Ted Little, Daryl Evans, Randy Curless, and Claude Markstahler. 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 following meetings: 1) April 23, 2009 Executive Session. Evans made a motion to approve as written; his motion was seconded by Kaltenmark and passed by a 7-0 vote. 2) April 27, 2009 regular Council meeting. Little made a motion to approve as written; his motion was seconded by Curless and passed by a 7-0 vote. 3) May 4, 2009 Executive Session. Evans made a motion to approve as written; his motion was seconded by Kaltenmark and passed by a 7-0 vote. 4) Minute correction to the May 11, 2009 LOHUT Special Session. Little was not present. The motion to adjourn was a 6-0 vote. Curless made a motion to approve correction to the May 11th minutes; his motion was seconded by Nose and passed by a 6-0 vote.

The next order of business was to address the Additional Appropriation requests as advertised for Additional Appropriations Ordinance 2009 NO.5:

**ADDITIONAL APPROPRIATIONS
ORDINANCE 2009 NO. 5**

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
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WABASH COUNTY POLICE PENSION FUND

0022-0000-05-451-001 Personal Services				
- Sheriff's Pension Fund- Claims served - April '09	\$ 5,390.00	\$5,390.00	7	0

Request includes 288 claims @\$13 for Superior Court, 117 claims @\$13 for Circuit Court, and Secretary's Report. Nose read the request for the additional appropriation aloud. Little made a motion to approve Superior and Circuit Court claims and the Secretary's Report request for April 2009; his motion was seconded by Nose and passed by a 7-0 vote.

CUMULATIVE BRIDGE FUND

0003-0000-04-447-112 Capital Outlay				
- Noble Structure #112	\$75,000.00	\$75,000.00	7	0

Noble Township Structure #112 is a nineteen foot (19') wide concrete box culvert. This structure has deteriorated to the point that it needs replaced. The aluminum box culvert of adequate size is priced by quote at \$64,860. The remainder of the amount requested is for the installation.

John Martin, Highway Department Supervisor, stated this bridge is on CR 500 W. Ridenour requested an E-911 address be presented in the future along with the name and number of each bridge. Little made a motion to approve replacement of box culvert and installation totaling \$75,000; his motion was seconded by Kaltenmark and passed with a 7-0 vote. Little asked if there is a way to identify the bridges in the bridge inspection book for bridges replaced in the current year; a tabbing system. Martin stated this particular structure is not considered a bridge due to its size. Martin stated he would present the request to Highway Superintendent Phil Amones. Auditor Ridgeway stated bridge inspection books are on the shelf by the southwest window in the Commissioners meeting room for Council and Commissioners review.

WABASH COUNTY CREDIT FUND

121-0000-03-439-130 Capital Outlay				
- County Road 800 N Project	\$10,900.00	\$10,900.00	7	0

Request is for final claims on the 800 N project for POET TIF District Reimbursements.

Martin stated this is for the final engineering fees. Commissioner Scott Givens stated this is the last bill from the 800 N project. This will be a reimbursed through the TIF District. Markstahler made a motion to approve; his motion was seconded by Curless and passed by a 7-0 vote.

HEALTH HOMELAND SECURITY

0146-0000-02-422-044 Supplies - Signs & Supplies	\$ 2,948.00	Tabled	7	0
0146-0000-04-444-044 Capital outlay				
- Other Equipment	\$17,052.00	Tabled	7	0

In accordance with federal requirements, these funds must be used for public health preparedness and emergency response purposes. This is in case of power outage, to run the health department and protect the vaccine supply. The Health Department must have access to funds prior to receiving the grant funds. The funds will then be reimbursed when paid receipts are turned in to the State.

Katherine Carter-Lower, Vital Records - Health Department and Dr. Dean Gifford, Health Officer, reviewed with Council the details of purchasing and installing a 22kw generator from Two Brothers - \$15,980 with cement pad, gas line hook-up - \$1,162 with minimal monthly gas fee. After reviewing the three bids, Council requested Carter-Lower acquire comparable quotes. Jim Dils, County Coordinator, stated the three quotes obtained were from vendors suggested by Bob Brown, EMA Executive Director. Dils has since contacted the vendors; 20kw is what is used for the basement of the

courthouse. Markstahler asked if the Health Department could be hooked into the unit at courthouse. Ridenour stated he would like to table this request to look into the idea of sharing a unit, obtaining comparable bids, any ongoing cost of maintenance and inspection, possible gas fees, and/or monthly delivery charges. Little requested Carter-Lower obtain information on warranties and know if the units are manual or automatic. Markstahler made a motion to table; his motion was seconded by Little and passed by 7-0 vote.

Next, the Council considered the following transfer requests:

**TRANSFER RESOLUTION
NO. 2009-5**

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, 2009 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
DECREASE:				
	REASSESSMENT FUND			
0041-0000-03-431-012 Contract – GIS	\$11,599.00	- \$11,599.00	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:

INCREASE:				
	COUNTY GENERAL FUND –GIS			
0001-0027-03-431-016 Beacon Website	\$11,599.00	\$11,599.00	7	0

We would like to pay ALL GIS expenses from new GIS Department created in the County General Fund starting 2009. This request is to cover remaining 2008 expenses for Schneider Corporation hosting of GIS Beacon Website which were part of the Assessor’s original contract price.

Ridenour explained to those in attendance that this is to consolidate expenses for the GIS accounts. Evans made a motion to approve transfer from the Reassessment Fund to County General GIS fund; 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 26th day of May, 2009, by the above recorded aye and nay vote.

TRANSFER RESOLUTION
NO. 2009-6

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, 2009 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
DECREASE:				
COMMUNITY TRANSITION FUND				
0166-0000-05-451-001 Comm. Corrections Disbursements	\$3,800.00	-\$3,800.00	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:

INCREASE:				
COMMUNITY CORRECTIONS FUND				
0036-0000-02-422-051 Miscellaneous Supplies	\$3,800.00	\$3,800.00	7	0

Transfer approved by State to purchase two (2) 800 MHZ Radios since local law enforcement is using different broadcast frequency.

Jeff Hobson, Community Corrections, stated the Sheriff's Department and City Police are on the 800 MHZ system. The field officers current radios are obsolete. This purchase includes radios and programming for 48 channels. Hobson stated the field officers will only use three channels, but they had them fully programmed so they are available if one of the other emergency agencies needs to borrow them. This purchase is from CTP money. Ridenour stated EMA, City Police, Sheriff are all using these. Little asked if Community Corrections has the ability to change expenditures. Hobson stated we only send info to the State as a courtesy. Curless made a motion to approve transfer from CC disbursements to miscellaneous supplies for the purchase of two (2) 800 MHZ radios; 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 26th day of May, 2009, by the above recorded aye and nay vote.

TRANSFER RESOLUTION
NO. 2009-7

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, 2009 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
DECREASE:				
COUNTY GENERAL - SOIL & WATER				
0001-0021-03-436-065 Lease/Service Contracts	\$3,000.00	- \$3,000.00	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:

INCREASE:				
COUNTY GENERAL – SOIL & WATER				
0001-0021-02-421-011 Operating Supplies	\$3,000.00	\$3,000.00	7	0

At 2009 Budget time, Soil & Water was to incur expenses to cover the leasing and service of the computers we utilize through the USDA-NRCS to support customer service. We have been informed this expense will not be charged for 2009. Since we did not receive any funds for Operating Supplies for 2009, I am requesting transfer of the \$3,000 to the Operating Supplies Account to support operating supplies expenses.

Ridenour asked Penny Collins, Executive Director Wabash County Soil & Water Conservation, to estimate how much of this amount will be used for operating supplies. Collins stated half of the amount requested would be used for operating supplies. Little asked if this line item was coming out of Commissioners’ funds. Ridgeway stated in the 2009 Budget, this appropriation was moved from Commissioners’ budget to County General - Soil and Water. Evans made a motion to approve the transfer of \$3,000 from Lease/Service Contracts to Operating Supplies; his motion was seconded by Little and passed with a 7-0 vote.

This was presented to the Wabash County Council, read in full, and adopted on the 26th day of May, 2009, by the above recorded aye and nay vote.

OTHER BUSINESS;

Consideration of Local Option Highway Use Tax (LOHUT) Proposal

Ridenour stated when he purchases gasoline for his vehicle he will often wait to get to Ft. Wayne; where it is usually cheaper. He said he and others should purchase gasoline in our county to add revenue to our local economy; Revenue on our gas is 29 cents per gallon. We can

support our gas stations and maybe individuals from other counties will purchase from Wabash County stations and help pay our road tax. Nose stated the State ultimately determines the (gas tax distribution) formula and it is a set amount unrelated to how much gas is purchased in our county. Ridenour stated regardless, we could all buy here to help the local economy. Nose moved to deny the LOHUT for the 2010 year; his motion was seconded by Little and passed by a 7-0 vote.

Consideration of two contract proposals for Government Consulting Services

Presented by Director Melissa Ambrose at the April 27th meeting;

1. Budget Training: \$900-1200 (Budget Training Class)
2. Three year analysis and Financial Planning: \$8,600 -\$10,400 including expenses.

Ridenour recommended that we consider paying for these contracts from the Rainy Day fund. Ridgeway stated unspent appropriations can be transferred into the fund but it can only be spent for a designated purpose. Our Wabash County Rainy Day Fund was established by ordinance to be used for unused employee benefits upon retirement or termination. Ridgeway stated our ordinance would need to be amended for any other disbursements. Ridenour stated he believes Indiana Code 36-1-8-5.1 allows the Rainy Day Fund to be used without any changes by an ordinance. Kaltenmark stated GCS did a review for Miami County. He spoke with the Auditor Jane Lilley and Miami County's report confirmed current concerns of financial troubles in 2011 and offered options to remedy the concern. Ridenour stated the financial portion (proposal #2 of this study) would include a review of health costs and retirement costs. Council discussed the idea of co-oping with another county on Budget Training proposal #1. Kaltenmark stated with the amount of revenues and expenditures in Wabash County, (the Financial Planning) proposal #2 is a great idea; most corporations have a long term plan in place. Little made a motion to approve contract proposal #1 for Budget Training; his motion was seconded by Evans and passed by a 6-1 vote. (Markstahler opposed).

Kaltenmark made a motion to accept contract proposal #2 for the three (3) year analysis and Financial Planning; his motion was seconded by Curless. Discussion followed: Markstahler stated with all the changes from State it is difficult to accurately postulate. Ridenour stated GCS will look at our past to predict our future. Little stated with (the new) LOIT the past is may not be a valid indicator. Little said it is ridiculous not to have a long term plan for our monies, like what we are going to do with the Jail – it makes a lot of sense to do long range planning but he is not confident that this report will give

accurate data. Little would like to throw some really hard questions at GCS for some very specific details on the report. Ridenour stated this is a report that would take three weeks after meeting with Commissioners, Council, Auditor, State Auditor and then finalizing data before presenting to us. Ridenour stated we need to have a plan even with an unforeseen course. Little stated we need to know what we are going to do with the Jail before we move forward with this analysis. Kaltenmark stated GCS would consider the Jail as part of the plan. Ridenour stated GCS would have Jail data to predict this possible plan along with other possible scenarios. Ridenour called for a vote on the motion for contract proposal #2 and requested votes be declared aloud: Little - nay, Curless - aye, Ridenour - aye, Markstahler - nay, Nose - nay, Kaltenmark - aye, and Evans - nay. Option #2 with GCS did not pass by 3 aye -4 nay votes.

Consideration of Invoice totaling \$5,000 for DataPitStop - Property Tax/Circuit Breaker Software

Ridgeway stated this is the Property Tax Calculator software program created by DataPitStop owner Darren Bates to help us analyze our tax collections for the last three (3) years (since we have been online and with MVP Tax) and review the trends, gains and losses occurred. The program can also look at the next few years and predict Circuit Breaker losses as affected by State assistance, LOIT distribution factors, uncollected property taxes, rate increases, growth rate and other variables. This is the program Bates previewed with the Council last August that allows the County to calculate various possible distribution formulas. Commissioner Scott Givens stated they have approved this invoice and plan to purchase it out of Commissioners' funds. Givens stated they wanted to inform Council of this expense as a courtesy and since it can be used by the Council also that if in the future the Commissioners needed additional appropriations with this fund - the Council would understand. After much discussion on the invoice, Council decided the Commissioners decision is sufficient and Council need not vote on this item.

Community Corrections Fiscal 2009-2010 Budget - Director Jeff Hobson

Hobson stated he received an e-mail copy of approval from the State last Friday for the Budget. Hobson wanted to inform the Council how the funds raised by Community Corrections and from the State are being spent. Former Councilman Bob Fuller stated it has never been seen as a need to come before the Council for approval of the budget. In the past, Auditor Ridgeway suggested we come and we wanted Council to be aware of how the funds affect the County. Fuller stated the budget has already been approved by the State DOC and presenting it to the Council to make any changes is mute. Ridenour

stated this body still decides the salary and wages. Nose stated we have been arguing over this for years. Ridgeway stated all claims go through our Commissioners as well as the salaries and wages. Fuller stated salaries are the only gray area. Ridenour stated with the new job study done, these salaries and wages need to be taken into consideration. Nose stated the increase in salaries for the Community Corrections is the opposite of what the State had expressed: a freeze on all government employees. Ridenour requested we wait to review and take a vote at the June 22nd meeting. Ridenour thanked Hobson for his time and all the work performed by his office.

Discussion of Collaborative meetings

Ridenour would like Council and Commissioners to consider semi-annual or quarterly team meetings. Also, Ridenour would like all to consider the idea of a meeting quarterly or bi-annually with Council, Commissioners, department heads, and elected officials. It could be a brown bag luncheon, to discuss ways to save money with the departments, changes in the departments, and any issues that need to be addressed.

Sewer District Progress in Laketon

Ridenour asked if anyone knew the status on the sewer district in Laketon. Hauptert stated he thought they were still in the process of obtaining petitions. Ridenour asked if monies had been spent on this project. Ridgeway said an invoice for an intern from Ball State had been submitted by Pleasant Township Rebecca Warmuth for work on the project and the Commissioners had approved the invoice from their CEDIT appropriation for \$1,000. Markstahler stated he felt there was not enough interest from local citizens to continue the project. Ridenour stated he would like to get an update. Ridenour asked Auditor Ridgeway to contact Health Environmental Sanitarian Jennifer Swango for a report to Council on her findings and Warmuth for an update.

Ridenour opened the floor for residents present to express concerns:

Rod Frank, Paul Lewis, Herb Mullen, Gareth Rodman, and Bob Patterson expressed their opinions, questions and concerns.

Council Reviewed:

Letter for Plan Commission – Additional Appropriation for \$85 (follow-up from the April meeting)
April 30, 2009 Financial Reports – Auditor and Treasurer
Coroner Carol Whitesel presented Standard Operation Procedure packets for the Coroner's office

Little made a motion to adjourn; his motion was seconded by Evans and passed with a 6-0 vote. Kaltenmark had to leave early to attend another meeting.

The next regular meeting will be held Monday, June 22nd, 2009 at 5:00 P.M. in the Commissioner's Meeting Room at the Wabash County Courthouse. The Council and Commissioners have called an Executive Session for June 10th at 4:00 P.M. to meet with Department Heads with results and recommendations from the Waggoner, Irwin and Scheele & Associates job classification and compensation factor evaluation study for 2010 Budgets.

The following individuals attended the May 26th Council meeting:

Sheila Rhoades, Bonnie Corn, Penny Collins, Kim Pinkerton, Steve Henderson, Steve Emrick, Carol Whitesel, Jerry Shesler, Rod Frank, Paul Lewis, Gary F., Larrea Cole, Bob Patterson, Leslie Patterson, Jim D., Herb Mullen, Teresa Witkoske.

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

Approved as written – June 22, 2009