

WABASH COUNTY COUNCIL MEETING

The Wabash County Council met in session on Monday, January 25, 2016 in the Commissioner's Meeting Room of the Wabash County Courthouse. Chairman Mike Ridenour called the meeting to order at 5:00 P.M. Seven Council members were present: Ridenour, Randy Curless, Claude Markstahler, Bill Ruppel, Jeff Dawes, Matt Dillon, and Kyle Bowman. Markstahler opened with a word of prayer and Ridenour led in the pledge of allegiance. The proceedings of the meeting were recorded by the County Auditor's office.

Chairman Ridenour stated that all public comments regarding agenda and non-agenda items are permitted and encouraged.

The first order of business was to approve the minutes of the January 4, 2016 organizational meeting. Ruppel made a motion to approve the minutes. Curless seconded the motion and it passed by a 7-0 vote.

An appointment to the local Alcoholic Beverage Board was addressed by Council. Markstahler made a motion to re-appoint Gary Wood to the Board. Bowman seconded the motion and it passed by a 7-0 vote.

Jan Williams, the Executive Director of Youth Services Bureau of Huntington was present to update the Council on the services provided by the Wabash branch of the organization. She explained the "Safe Place Program" with dollars provided by the State to insure that youth have a safe place to go if threatened or in need of other services. She stated that 40 businesses in Wabash County participate in the program.

Sheriff Bob Land submitted copies of the department's 2015 year-end report and highlighted some of the facts from the report: in 2014, the Sheriff's Dept. transported 453 prisoners for incarceration at the Miami County Jail, in 2015 they transported 738 prisoners. The jail was over-capacity for 363 days of 2015. The report listed the calls received and a breakdown of costs for the year. He reported that the jail has a new drug addiction treatment program. Land stated some of his concerns for 2016: the department will lose three deputies soon to other employment. Salaries could be an issue after comparing deputy salaries in ten other counties. Also, the department changed medical insurance providers because of the need for additional mental health coverage and to offer Medicaid assistance. He stated that the annual jail inspection is Feb. 9, 2016.

The next order of business was to address a proposed resolution regarding poultry sales. Present for this part of the meeting were Jeff and Zach Hawkins with J.L. Hawkins Family Farm in Wabash County. Councilman Matt Dillon had brought the Council's attention to proposed legislation that would prohibit local farms operating under a USDA grant of exemption from selling their poultry directly to restaurants and had been working with the County Attorney

to draft a proposed resolution supporting the Hawkins Family Farm. Dillon explained that he had visited the local farm on several occasions and then decided to get involved in an attempt to support the Hawkins family in their battle in opposition to proposed legislation. Chairman Ridenour explained that the proposed resolution states that Wabash County government; the County Commissioners and the County Council are not in favor of the proposed legislation because it would do harm to a county business. Ridenour then introduced Jeff Hawkins who explained that the Hawkins family has spent nine months working with the Board of Animal Health so they could apply for the permit to operate under the 20,000 bird exemption. He stated that they followed all the rules, that they were inspected, passed and received a grant of exemption. He reported that the track record of this exempted poultry over the last 47 years is very safe. There have been no recorded cases of a foodborne illness from an exempted bird. For some reason, the State Dept. of Health issued a cease and desist order applying a different law that didn't apply to Hawkins Farm because they were under the grant exemption. He further explained that the Indiana Attorney General succeeded in having the cease and desist orders from the IN State Dept. of Health rescinded, but that there have been further efforts to prohibit the Farm from selling farm-raised and farm processed poultry to restaurants. He reported that Senate bill (SB 71) is proposed by Senator Jean Leising from Oldenburg, IN and a "mirrored" bill in the House (HB 1267) is proposed by Representative Don Lehe, Indianapolis, IN District 25 who is the chairman of the House Committee on Agriculture and Rural Development. Jeff stated that he and Zach Hawkins had testified last Thursday during the House committee meeting but that no vote was taken at that time. He said that another meeting is scheduled for Thursday, Feb. 4, 2016 and that they plan to attend. Councilman Ruppel stated that the committee vote will be on Friday, Feb. 5, 2016. Ridenour stated that "one of our county businesses is potentially going to suffer at the hands of the state legislature and we need to make a stand for this business". Dillon made a motion to approve Resolution #85-01-2016. Markstahler seconded the motion and it passed by a 7-0 vote. See the resolution below:

**BEFORE THE WABASH COUNTY COUNCIL AND BOARD OF COMMISSIONERS OF
WABASH COUNTY**

RESOLUTION NO. 85-01-2016

**A JOINT RESOLUTION OPPOSING PROPOSED LEGISLATION TO PROHIBIT THE
SALE OF POULTRY TO FOOD ESTABLISHMENTS BY PERSONS WHOSE
OPERATIONS ARE EXEMPT FROM ANTEMORTEM AND POSTMORTEM
INSPECTIONS**

There is in effect the Indiana Humane Slaughter Act which is found at I.C. 15-17-5, et al.

Under I.C. 15-17-5, certain operations are exempt from ante mortem and postmortem inspections of poultry.

Senate Bill No. 71 and House Bill No. 1267 are presently pending Indiana Senate and Indiana House of Representatives, respectively, which propose legislation prohibiting those whose operations are exempt from ante mortem and postmortem inspections of poultry from selling poultry to food establishments, as defined in I.C.16-18-2-137.

The existing laws of the State of Indiana and United States of America provide adequate oversight for food safety for the sale of poultry to food establishments.

The proposed legislation will have a significant negative impact on certain persons within Wabash County, and will do nothing to safeguard further the public health, to promote further the public welfare, or to improve oversight for food safety.

NOW, THEREFORE, IT IS RESOLVED AS FOLLOWS:

We oppose any proposed legislation which seeks to prohibit the sale of poultry to food establishments by persons whose operations are currently exempt from ante mortem and postmortem inspections of poultry.

Adopted this 25th day of January, 2016.

WABASH COUNTY COUNCIL
By: Mike Ridenour, Chairman

BOARD OF COMMISSIONERS OF WABASH COUNTY
By: Barry Eppley, Chairman

Attest: Linda Conrad, Wabash County Auditor

Jeff Hawkins thanked the Council and stated that they were surprised by the kind of support and encouragement that the County has offered and that these voices will matter and will strengthen their stance. Ridenour directed the Auditor's office to provide copies of the Resolution to Jeff and Zach Hawkins and to the other counties that house the restaurants that serve the Hawkins Family Farm poultry.

The next order of business was to address the Additional Appropriation requests. Probation Officer Trisha Hanes and County Health Officer David Roe were present for the requests.

ADDITIONAL APPROPRIATIONS
ORDINANCE #2016-85-01

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, 2016 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:

DRUG FREE COMMUNITY FUND/ACTION GRANT- #1148

	<u>Amount Requested</u>	<u>Amount Appropriated</u>	AYE	NAY
<u>Other Services & Charges</u>				
Manchester Univ. Peer Educators- #1148-31040	\$1,750.00	1,750.00		
Man. Univ. Education Awareness #1148-31030	\$2,750.00	2,750.00		
Southwood HS Peers Educating Peers1148-31070	\$1,000.00	1,000.00		
Southwood HS After Prom #1148-31181	\$ 750.00	750.00		
Wabash County Tobacco Free Youth 1148-31160	\$2,700.00	2,700.00		
Manchester HS After Prom #1148-1260	\$ 750.00	750.00		
Bowen Center Low Income Treatment#1148-30141	\$4,500.00	4,500.00		
MU Student Treatment/Intervention #1148-31050	\$ 500.00	500.00		
Wabash County Drug Court #1148-31191	\$4,000.00	4,000.00		
Hands of Hope #1148-31210	\$2,000.00	2,000.00		
<u>Wabash County Sheriff's Dept.#1148-12200</u>	<u>\$7,200.00</u>	<u>7,200.00</u>		
Total Services	\$27,900.00	\$27,900.00	7	0

Explanation: "Grant" Summary for 2016 as approved by the "Against Alcohol, Controlled substances and Tobacco in our Neighborhoods" (Aaction) committee.

Council member Markstahler voiced objection to the amounts proposed for two organizations.

Dawes made a motion to approve the request. Ruppel seconded the motion and it passed by a vote of 7-0.

COUNTY HEALTH FUND - #1159

	<u>Amount Requested</u>	<u>Amount Appropriated</u>	AYE	NAY
Contracted Services #1159 (acct. to be assigned)	\$1,905.00	1,905.00	7	0

Explanation: This is the cost of Intrasect Technologies' back-up storage, Datto Alto 2 backup for all data and programs for three months. Commissioners' minutes of Aug. 24, 2015 stated that the Health Dept. would pay for this by an additional appropriation for October, November, and December, 2015.

Per Dr. Roe: The monthly expense (\$158.72) was not included in the 2016 budget request so may need to additionally appropriate the amount for 2016 also. He stated that the Health Board meets on Jan. 26, 2016 and they may determine that the service for 2016 is not necessary because the State Health dept. could store the data. Health dept. officials intend to discuss this with local vendor, Intrasect Technologies at this time.

Council members suggested that in the event of an emergency or disaster situation having all the data and programs backed up by local vendor, Intrasect and thus being able to restore data and programs in a matter of minutes rather than days that it might require with a restoration from the State Health Dept. could be most beneficial and worth the cost.

Ruppel made a motion to approve the request. Dawes seconded the motion and it passed by a 7-0 vote. The Auditor's office was directed by Council to assign a specific account/line item to this contracted services expense when posting the additional appropriation so the funds would be used for this expense only.

Presented to the Wabash County Council, read in full and adopted this 25th day of January, 2016 by the above aye and nay vote. The Auditor was directed to present the above additional appropriation to the Department of Local Government Finance for approval as provided by law.

The next order of business was to address encumbrances from 2015 into 2016. A comparison of past years' encumbrances was presented by the Auditor's office. Total encumbrances for 2013 into 2014 were \$1,777,065.51 from four funds, for 2014 into 2015, a total of \$1,558,549.12 from four funds, and encumbrances from 2015 into 2016 are a total of \$139,545.75 from three funds. Chief Deputy Auditor Marcie Shepherd stated that each year the Auditor's office has submitted less encumbering to the Council because departments now understand the true meaning and reasons for encumbering. Dillon made a motion to approve the encumbrance request of \$139,545.75 from three funds; the General Fund in the amount of \$5,843.75, the Cum. Bridge Fund for \$129,752.00 and the Surveyor Corner Perpetuation Fund for \$3,950.00. Curless seconded the motion and it passed by a 7-0 vote.

Ruppel mentioned that SB 311 concerning the current ineligibility of townships to receive LOIT Public Safety funds is "in committee" and the proposal is to change the language from "may receive" to "shall receive funds". He urged Council members to contact committee members to keep the current language at "may receive" funding approved by the county or city.

Council reviewed:

Auditor & Treasurer Financial Reports for December 2015

Wabash County Solid Waste Management District Income & Expense Statement for Dec. 2015

With no other business to come before County Council, the meeting was adjourned. The next meeting is scheduled for February 22, 2016.

The following individuals also attended the January 25th Council meeting:

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

Chief Deputy Auditor Marcie Shepherd, Deputy Auditor B.J. Grube, County Commissioners Barry Eppley, Brian Hauptert and Scott Givens, Sheriff Bob Land, Purdue Extension Director Teresa Witkoske, Attorney Mark Frantz, EDG Director Keith Gillenwater, Wabash Plain Dealer reporter Mackenzie Klemann, News Journal reporter, Shaun Tilghman, and "105.9 The Bash" reporter, Tim Arnett.