

FEBRUARY 23, 2009

Wabash County Council met in regular session on Monday, February 23, 2009 at the Wabash County Courthouse. Prayer was offered by Mike Ridenour. Chairman Ridenour called the meeting to order at 5:00 P.M. with all members present: Gary Nose, James Kaltenmark, Mike Ridenour, Ted Little, Claude Markstahler, Daryl Evans and Randy Curless. The proceedings of the meeting were recorded by County Auditor Jane Ridgeway.

Ridenour requested that any (private) conversations be moved to the hallway as a consideration of the Council proceedings. Ridenour also requested all cell phones be turned off or silenced. Ridenour then opened the floor for local resident Phil Dailey to speak. Dailey requested that all persons (on and addressing the Council) speak loud enough to be heard. Ridenour thanked Dailey for his comments.

The Council reviewed the minutes of the January 26, 2009 meeting. Evans made a motion to approve with a grammatical and a spelling correction: "...Bowen *served*..." and "Whitesel" his motion was seconded by Curless and approved by a 7-0 vote.

The Council then addressed the E-911 Additional Appropriation requests tabled last month as Additional Appropriations Ordinance 2009 NO. 1 AMENDED:

ADDITIONAL APPROPRIATIONS ORDINANCE 2009 NO. 1 AMENDED

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
NEW E-911 WIRELESS FUND AMENDED				
0054-0000-02-421-011 Supplies – Office Supplies	(\$ 2,000.00)	(\$ 2,000.00)	7	0
0054-0000-03-431-014 Other Services & Charges – IDAC NCIC Service	(\$ 7,000.00)	(\$ 7,000.00)	7	0
0054-0000-03-435-024 Other Services & Charges – Telephone	\$99,000.00	\$99,000.00	7	0
0054-0000-03-0436-074 Other Services & Charges – Generator Maintenance	(600.00)	(600.00)	7	0
054-0000-03-439-022 Other Services & Charges – Postage	(100.00)	(100.00)	7	0
0054-0000-03-439-027 Other Services & Charges – Service Contracts/Wabash County Sheriff	\$25,000.00	\$25,000.00	7	0
054-0000-04-443-041 Capital Outlay – Furniture, Fixtures & Other Equipment	(6,000.00)	(6,000.00)	7	0

Request re-submitted is for the new E-911 Wireless Fund budget for 2009. Council had tabled at the January 26th meeting and requested a more detailed report.

Sheriff Leroy Striker and E-911 Director Sandy Beeks re-submitted the new E-911 Wireless Fund budget for 2009. They presented a spreadsheet that detailed the original budget and the new separated (Landline/Wireless) budgets showing increases and decreases by line item. Striker explained the request for the additional \$25,000 to the Sheriff's Department was to cover the cost of additional expenses. Little asked why in 2007 wireless fees collected were \$171,373 and in 2008 they

dropped to \$128,000. Striker stated it is possibly due to a timing issue that may make it seem the numbers are dropping, but this is speculation. Striker stated that the E-911 Fund has a high cash balance and the a county needs to use it for a worthy cause as “Consolidated Dispatch” as it was originally intended before we are told what we can spend it on by the State. Nose asked what was happening with the “Central Dispatch” concept. Striker stated it is not “Central” as much as “Consolidated” because it would combine Public Safety and Law Enforcement dispatch functions. Striker stated two (2) plans have been submitted to Commissioners for review and he would like to see this move forward quickly. Nose stated in the current Governor’s Weekly Newsletter he gave a favorable review of the Cass County Consolidated Dispatch. “This may be something to look at.” Markstahler made a motion to approve the additional appropriations for the Wireless Fund of \$108,300 and transfer the total \$146,950 from the 0054 Landline to the new 0177 Wireless Fund, his motion was seconded by Little and passed with a 7-0 vote.

The next order of business was to address the Additional Appropriation requests as advertised for Additional Appropriations Ordinance 2009 NO. 2:

**ADDITIONAL APPROPRIATIONS
ORDINANCE 2009 NO. 2**

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
COUNTY GENERAL FUND WABASH COUNTY PROBATION DEPARTMENT				
0001-0037-04-444-042 Capital Outlay– Office Equipment	\$ 2,030.00	\$ 2,030.00	7	0
Request is for the purchase of office furniture (desk, chair, bookshelf, and a computer (and software), for a new probation officer.				
ADULT PROBATION USER FEES FUND				
0060-0000-05-451-007 Transfer of Funds to County General Fund - for Capital Outlay Purchase	\$ 2,030.00	\$ 2,030.00	7	0

Transfer of money from Adult Probation User Fee account to facilitate the purchase of office furniture; desk, bookshelf, computer, and software for new probation officer

Kaltenmark made a motion to both transfer and appropriate the \$2,030; his motion was seconded by Curless and passed with a 7-0 vote.

**TRANSFER RESOLUTION
NO. 2009-1**

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:

	<i>Amount Requested</i>	<i>Amount Appropriated</i>	<i>AYE</i>	<i>NAY</i>
DECREASE:	ADULT PROBATION SERVICES – Adult Probation User Fee			
0060-0000-05-451-007 Interfund Transfer OUT	\$2,030.00	\$2,030.00	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 – COUNTY PROBATION DEPARTMENT			
0001-0000-00-391-000 Interfund Transfer IN	\$ 2,030.00	\$ 2,030.00	7	0

Transfer of money from Adult Probation User Fee account to facilitate the purchase of office furniture; desk, bookshelf, computer, and software for new probation officer. This was presented to the Wabash County Council, read in full, and adopted on the 23rd day of February, 2009, by the above aye and nay vote.

Council then addressed the request for the Sheriff’s Pension Fund:

WABASH COUNTY POLICE PENSION FUND

0022-0000-05-451-001 Personal Services – Sheriff’s Pension Fund				
– Claims served – January ’09	\$ 7,048.00	\$ 7,048.00	7	0

January 2009 -255 claims @ \$13.00 –Superior court; 163 claims @ \$13.00 – Circuit Court, Secretary’s Report, and Clerk’s Report

Little made a motion to approve this request; his motion was seconded by Kaltenmark and passed with a 7-0 vote.

RECORDER’S RECORD PERPETUATION FUND

0098-0000-03-431-093 Other Services & Charges				
– Bank Services	\$ 700.00	\$ 700.00	7	0

Changing Banks to Crossroads: Need \$500.00 to hold Small Business Account with no fees. Requesting \$200.00 (approximately) to pay Wells Fargo Bank a monthly service fee until completed.

Recorder Nancy Gribben had contacted Huntington, Kosciusko, Whitley, and Elkhart counties in regards to the Recorder’s Record Perpetuation Fund requirements. Gribben stated none of the Recorders in these counties submit a budget to the Council except for the salaries that are paid by the county for the Recorder and staff. Gribben stated that IC Code 36-2-7-10 allows the monies in the Perpetuation Fund to be spent at the Recorder’s discretion without approval. Gribben stated she comes before the Council as a courtesy. Gribben also stated if an exorbitant amount, (i.e....\$50,000), were spent it would be prudent to let the Council know. Nose stated “all fees collected are public monies and the Recorder works for the taxpayers of Wabash County.” Little stated “ultimately as a Council we are the governing entity over monies spent and collected and would like to know when something is spent and on what.” Little also stated he appreciates Gribben informing them of her expenses. Ridgeway stated under Home Rule, according to the State Board of Accounts, if it is the Council’s preference to be notified when monies are spent they can request it. Nose made a motion to approve bank service fees of \$700; his motion was seconded by Markstahler and passed with a 7-0 vote.

The next order of business was to consider Amendments to the 2009 Salary and Wages Ordinance for budget corrections as discussed on January 26th as follows:

AMENDMENT 2009 – I
2009 SALARIES AND WAGES ORDINANCE
WABASH COUNTY

WHEREAS: Public Law No. 231 requires County Councils to fix salaries of County Officials and Employees for the year 2009:
SEC.1. Be it ordained by the Wabash County Council of Wabash County, Indiana, that the salaries and wages of County Officials and Employees and its institutions for the year ending December 31, 2009 are as follows:

<u>Fund/Acct. #</u>	<u>Position</u>	<u>Employee</u>	<u>@ 26 pays</u>	<u>Annual</u>
CIRCUIT COURT				
A0001-0035-01-412-013	Court Reporter	C. Stoup	\$1,096.88	\$28,519.00
A0001-0035-01-412-014	Bailiff	M. Lundmark	\$1,096.88	\$28,519.00
PRE-TRIAL DIVERSION				
A0101-0001-01-412-016	Secretary	C. Evenson	\$1,018.69	\$26,486.00
COMMISSARY PAYROLL FUND				
A0160-0000-01-412-013	Full-time Hrly-Jail 35 Hours a week	M. Fuller	\$12.49 hr \$874.30	\$22,731.80

Amendment to Salary Ordinance approved with the 2009 Budget on December 1, 2008,

Council reviewed the change in the Circuit Court salaries. Judge McCallen submitted these two salaries as equal with a suggested performance compensation; when that was deleted, the salaries became unequal. This adjustment will raise one \$250 and lower one \$250 to match. Evans made a motion to amend the 2009 Salary and Wage Ordinance as presented; his motion was seconded by Kaltenmark and passed 6-1. Markstahler opposed.

The next order of business was to address a Resolution to transfer the Congressional School Interest Fund to the State.

RESOLUTION No. 85-2009-1
A RESOLUTION TRANSFERRING THE BALANCE OF THE
WABASH COUNTY FUND 0038 - CONGRESSIONAL SCHOOL INTEREST
FUND TO THE STATE OF INDIANA

NOW, THEREFORE BE IT ORDIANED BY THE COUNTY COUNCIL OF WABASH COUNTY, INDIANA, THAT:
SECTION 1. The sum of \$47,369.52 is hereby transferred from the Wabash County Congressional School Interest Fund, pursuant to Indiana Code 20-42-2-4.5, to the State of Indiana, Treasurer of State.
SECTION 2. This resolution shall be in full force and effect after its passage, approval and confirmation, as required by law.

Ridgeway said the State’s memos had been vague and intended for both the Congressional Principal and the Interest to be transferred to the State if the County desired. When Wabash County transferred the Principal to the State on 12-31-08,

they requested the Interest Fund also. Nose stated “This amount accumulated prior to the State taking over this fund and it should be Wabash County money.” Although all were in agreement, Little made a motion to transfer school interest funds to the State; his motion was seconded by Evans and passed (reluctantly) with a 7-0 vote.

Council then addressed the following budget appropriation transfer requests:

**TRANSFER RESOLUTION
NO. 2009-2**

*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:

	<i>Amount Requested</i>	<i>Amount Appropriated</i>	<i>AYE</i>	<i>NAY</i>
DECREASE:				
COUNTY GENERAL FUND - JAIL				
<i>0001-0033-01-412-017 Dispatcher</i>	<i>\$25,000.00</i>	<i>\$25,000.00</i>	<i>7</i>	<i>0</i>

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:

	<i>Amount Requested</i>	<i>Amount Appropriated</i>	<i>AYE</i>	<i>NAY</i>
INCREASE:				
COUNTY GENERAL FUND – JAIL				
<i>0001-0033-03-436-069 Maintenance of Controls</i>	<i>\$25,000.00</i>	<i>\$25,000.00</i>	<i>7</i>	<i>0</i>

Dispatch money needed to cover IDACS (Indiana Data and Communication System) expenses that are no longer payable through the E-911 Budget. This was presented to the Wabash County Council, read in full, and adopted on the 23rd day of February, 2009, by the above aye and nay vote.

Kaltenmark made a motion to transfer the appropriations for the Jail funds totaling \$25,000; his motion was seconded by Evans and passed 7-0.

Council also reviewed the following:

- January 31, 2009 Financial Reports
- Annual reports and inventory from the Highway department
- Jail Annual Report

2009 Budget Certification:

Ridgeway advised that the State has approved the County Budgets as submitted by Council except for the Highway (MVH) Budget. The State cut this fund \$1,009,000 due to lower anticipated revenues; MVH is funded by gasoline taxes not property taxes. Highway Superintendent Phil Amones stated he has decreased the Highway budget by taking funds from chip & seal and asphalt patching and will expense these projects from the Local Road and Street Fund. The remainder of the cuts were taken from overtime, materials, and building repair line items. Amones stated the Local Road and Street Fund is replenished around \$500,000 per year and long-term this fund could be depleted without some additional funding. Ridgeway stated the Major Moves Money on the County Road 800 N Project last year which was reimbursed by POET, affected the State’s calculations of the highway budget. Originally they were going to approve zero (0) dollars, but after submitting paper work showing the reimbursement, the State approved a budget of \$2,264,013. Amones stated the

reductions are only a temporary fix for the Highway’s operating budget; revenues for MVH have been decreasing over the last several years and will continue. Amones said he will be recommending a program be presented to the Council next month about LOHUT (Local Option Highway Use Tax) to consider additional funding at the local level. Little made a motion to approve the amended Highway Budget for \$2,264,013; his motion was seconded by Kaltenmark and passed with a 7-0 vote.

The Council then reviewed additional encumbrances for 2008 expenses to the 2009 budget as follows:

Encumbrance of Funds Request (1)

Budget Name: Motor Vehicle Highway Department

Encumber:

Account Name	Line Number	Encumber Amount
Group Health Insurance	0002-0038-01-413-073	\$14,754.72

This amount is being encumbered to cover Insurance premiums that were for December of 2008.

SS: Phil Amones
Highway Superintendent

Encumbrance of Funds Request (2)

Budget Name: Cumulative Bridge

Encumber:

Account Name	Line Number	Encumber Amount
Const Bridge 645	0002-0038-04-447-061	\$700,000

These are funds originally appropriated in 2008 but has not progressed to the construction phase.

SS: Phil Amones
Highway Superintendent

Bridge #645 (North Manchester Covered Bridge- \$700,000) had mistakenly been cut from the 2009 budget by the Council. Council remembered the bridge discussion but was unsure as to why the bridge was cut from the budget. Amones stated this is a county bridge. Commissioner Givens stated a portion of a grant was approved last year to help with maintenance of the bridge and Commissioners have re-applied this year for more assistance. Amones stated the bridge construction project has partial funding through the State and he has re-applied this year for supplemental aid.

Encumbrance of Funds Request (3)

Budget Name: Coroner

Encumber:

Account Name	Line Number	Encumber Amount
Autopsies	0001-0007-03-431-012	\$7,879.25
Deputies	0001-0007-03-431-011	\$ 200.00
Cell Phones	0001-0007-03-435-025	\$ 83.00

Request is for invoices from 2008 turned in by previous Coroner Marilyn McDonald and proved payable by current Coroner Carol Whitesel.

SS: Carol Whitesel
Coroner

Ridgeway stated there was money left in the appropriation to cover a portion of the amounts requested. Council discussed frustration with how the bills were previously handled by the Coroner’s Office. Ridgeway stated she is hopeful that the Coroner will submit invoices in a timely and accurate manner. Evans asked why the invoices

would be so much for autopsies if they are only \$1500 as stated at last month's meeting. Ridgeway stated there is an autopsy charge for \$1500 but also additional charges for lab work, transport fees, etc. that are also charged to the "autopsies" line item. Ridenour noted the bills are more than is available to encumber. Ridgeway said "We will only encumber what we have available 2008 appropriations to cover but whatever we do encumber will be a help for the new Coroner's 2009 budget."

Encumbrance of Fund Request (4)

Budget Name: Wards of State (Treasurer of State)

Encumber:

Account Name	Line Number	Encumber Amount
Commissioners	0001-0029-03-439-099	\$5,520.00
Commissioners	0001-0029-03-439-099	\$55,560.00
Commissioners	0001-0029-03-439-099	\$ 158.72

This encumbrance is the last submission for Wabash County before the State will take over payments.

SS: Brian K Haupt
Chairman Commissioners

Evans made a motion to approve each of the eligible encumbrances for Highway, Cumulative Bridge, Coroner and Commissioners' Wards of State where appropriations permit; his motion was seconded by Curless and passed 7-0.

GREER NOISE COMPLAINT

Little updated the Council regarding the complaint from William and Susan Greer, 1329 E 850 N, concerning the noise from the grinders at the POET Ethanol Refinery that are interfering with their quality of life. Little informed Council that at the last Plan Commission meeting they had a conference call with a consultant who could do further study on decibel levels. Little stated it is a complicated process. The State has no current guidelines regarding decibel levels. The main issue is how much do we spend on the studies and if an issue with decibel levels is found how do we enforce the levels. Little stated he is continuing to work with POET who seems to want a solution that will benefit all parties. Nose also noted that he thought POET had recently purchased more private property than was originally anticipated. Ridgeway stated this was correct, that three (3) new properties had been transferred to POET recently.

COURTHOUSE IT UPGRADES

Brian Hauptert stated we need to move quickly implementing new servers for the MVP tax program and financial software programs here at the courthouse. Recent MVP Tax installs have added data and calculations and another new update will be done soon to calculate the new Circuit Breaker tax bills. The new updates and the historical data stored on one server have slowed the system down considerably. The Treasurer's and Auditor's offices are experiencing at least a twelve (12) second wait between transactions. Thomas Polk of IntraSect Technologies has given a proposal to Commissioners concerning the need for new servers and a recommended off-site data disaster recovery plan. Polk stated we need a separate server for the accounting financials and property tax programs; addressing this need should also benefit future

program additions such as the Surveyor's new Drain Calc program. This change in servers should make the data process 30-40 % faster. The new servers will total \$17,277 and the recovery plan will cost \$5,299. Payment for the new hardware could come out of Cumulative Capital Development Fund. Hauptert wanted Council to be aware of the plan and make sure Council would approve moving forward as soon as possible with the project prior to tax calculations and collections this spring. Evans wanted to know how much of history is being stored. Ridgeway stated all data since the new systems were installed in 2006. Council unanimously pre-approved for Commissioners to move forward with the IT upgrades.

GIS

Ridenour requested a copy of all the expenditures to date for GIS. Ridgeway stated she will have this for Council next month.

EMPLOYEE JOB CLASSIFICATION

Council reviewed the new point factoring system job classification. County Coordinator/Human Resources Director Jim Dils, along with Kent Irwin of Waggoner, Irwin, Scheele & Associates have been working on the new job classifications study. This includes both internal and external comparisons of county and private sector positions, salaries that are equivalent to current county job descriptions and recommendations. After the job review is complete, a matrix or guide will be set to help determine appropriate salaries of county employees. Ridenour stated a maintenance schedule will also need to be started to maintain the system and keep it current. Commissioner Hauptert stated there would need to be a permanent Point Factoring Committee as part of this maintenance plan to address any changes that may need to be made.

LOCAL OPTION INCOME TAX (LOIT)

Ridenour addressed his concern with the levy freeze portion of the LOIT that was adopted by Council in 2007, effective January 1, 2008. Ridenour stated "when we started we set it as two-tenths of a percent. It doubled the first year and more than half of monies collected were put in a stabilization fund per State request in case of a short fall". Ridenour stated he felt that the two-tenths of a percent set rate was sufficient. He received a memo from former DLGF Commissioner Cheryl Musgrave stating that the State had made certain assumptions on the levy and there was no requirement to round up to tenths. Because of this, counties should notice the income on the levy freeze would drop; but Ridenour noted a month later we received a memo informing us that the levy had actually gone up to .027. Ridenour as well as Nose both were concerned with why the levy had increased instead of decreased as they were told prior and how could the State change what Council had set. Council discussed how the DLGF is giving mixed messages with changing the amount set. One document stated they could change the rate by ordinance. Other documents

and individuals at the DLGF informed Ridgeway they could not change the set rate. Ridgeway has been waiting to hear back from the DLGF with an answer on how an Ordinance is to be written to change the percentage. Council will continue to pursue answers on these questions from the DLGF.

Public note:

Phil Dailey stated the county needs to get away from the percentage raises for the salaries and wages and try to keep salary increases at a set amount.

No other business, Markstahler made a motion to adjourn; his motion was seconded by Curless and passed with a 7-0 vote. The next meeting will be held Monday, March 23, 2009 at 5:00 P.M. in the Commissioner's Meeting Room on the second floor of the Wabash County Courthouse.

Approved as written – March 23, 2009