

**WABASH COUNTY COUNCIL MEETING**

The Wabash County Council met in session on Monday, March 24, 2014 in the Commissioner’s Meeting Room of the Wabash County Courthouse. Chairman James Kaltenmark called the meeting to order at 5:00 P.M. with seven members present: Kaltenmark, Claude Markstahler, Randy Curless, Gary Nose, Jeff Dawes, Bill Ruppel and Mike Ridenour. Markstahler opened with a word of prayer and Kaltenmark led in the pledge of allegiance. The proceedings of the meeting were recorded by County Auditor Linda Conrad.

The first order of business was to review the minutes of the February 24, 2014 meeting. Markstahler made a motion to approve the minutes. Dawes seconded the motion; it passed by a vote of 7/0.

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

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

**ADDITIONAL APPROPRIATIONS**  
**ORDINANCE #2014-05**

Sheriff Bob Land was present to explain the request for Additional Appropriations.

**GENERAL FUND – Sheriff Dept. #1000**

	<u>Amount Requested</u>	<u>Amount Appropriated</u>	AYE	NAY
Other Services & Charges #1000-22500.0005 –Garage & Motor	\$1,000.00	\$1,000.00	7	0

Explanation: Insurance deductible reimbursement that was originally paid out of Garage & Motor account so vehicle could be repaired. I am requesting the appropriation of the reimbursement that was received.

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

Sheriff Land presented the Jail Inspection report to Council. The report stated that the facility is short on space and storage and the lighting in the cell block area is too dim. Land reported that a second warning regarding the need for a staff analysis had been issued.

**RAINY DAY FUND - #1186**

	<u>Amount Requested</u>	<u>Amount Appropriated</u>	AYE	NAY
Inmate Transfers #1186-30331.000.0000	\$50,000.00	\$50,000.00	7	0

Explanation: Need more funding for the transport of inmates to Miami County. Current account has \$1665.00 balance. Sheriff Land estimated the 2014 cost of inmate transfers at approximately \$150,000.

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

Sheriff Land was asked about the upcoming July 1st changes to the criminal codes and the effect this would have on Wabash County. Land explained that 75% of a prisoner's sentence will need to be served in the local jail and that the Dept. of Corrections will not accept any prisoner under a one-year sentence.

Highway Superintendent, John Martin was present to explain the request for additional appropriations.

**MOTOR VEHICLE HIGHWAY FUND - #1176**

	<u>Amount</u> <u>Requested</u>	<u>Amount</u> <u>Appropriated</u>	AYE	NAY
Driver Overtime #1176-12000.0039	\$1,768.00	\$1,768.00	6	1
Sign Supervisor Overtime #1176-12000-0039	\$2,000.00	\$2,000.00		
Mechanics Overtime #1176-12000-0040	\$5,000.00	\$5,000.00		

Explanation: Due to the extreme winter, the overtime accounts for 2014 have been spent down to the point that there will be a shortfall to pay overtime through the remainder of the year.

Markstahler made a motion to approve the request. Curless seconded the motion and it passed by a 6-1 vote with Ridenour in opposition.

Commissioners Eppley, Hauptert and Givens were present to explain the request for additional appropriations.

**RIVERBOAT FUND - #1191**

	<u>Amount</u> <u>Requested</u>	<u>Amount</u> <u>Appropriated</u>	AYE	NAY
Animal Shelter allocation #1191-30810.000.0000	\$90,000.00	\$90,000.00	6	1

Explanation: The animal shelter allocation was omitted from the 2014 approved budget. The original allocation request had been presented by an Animal Shelter representative at the February Council meeting to be paid from the CAGIT Certified Shares Fund but the Council denied the request since the CAGIT fund revenue has already been budgeted for other line items. It was suggested that the allocation be advertised for appropriation from the Riverboat Fund.

Nose asked how the \$90,000 requested amount had been determined and on what it was based. Commissioner Eppley stated that the \$90,000 is a lump sum of support. Nose noted that each year when the General Fund had been paying the salaries and benefits of the animal shelter from the Commissioners budget, the amount had increased each year but never totaled \$90,000. He suggested that we should only be paying for the salaries and benefits amount.

Ridenour made a motion to approve the \$90,000 request to be paid from the Riverboat Fund. Dawes seconded the motion and it passed by a 6-1 vote with Nose in opposition.

**CASA PROGRAM FUND - #1212**

	<u>Amount</u> <u>Requested</u>	<u>Amount</u> <u>Appropriated</u>	AYE	NAY
Part-time help #1212-11903.000.000	\$14,000.00	\$14,000.00	7	0

Explanation: The request for part-time help was originally requested at the February Council meeting but no official action had been taken because the appropriation had not been advertised. There had also been questions regarding adequate revenue to fund the request. The CASA director and the Auditor's office can now confirm that the

expected revenue sources and the revenue will be adequate to fund the part-time assistant. It was noted that under the previous association with the Youth Services Bureau, the CASA program had employed a part-time assistant.

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

Sara Lochner, Chief Probation Officer was present to request additional appropriations from the Adult Probation Users Fees Fund.

**ADULT PROBATION USER FEES FUND - #2100**

	<u>Amount Requested</u>	<u>Amount Appropriated</u>	AYE	NAY
Capital Outlay/Machinery & Equipment #2100-40400-0000 Computers, Monitors	\$2,937.00	\$2,937.00	6	1

Explanation: Intraset Technologies has provided a quote for two computers to replace those that are no longer supported because of their obsolete XP operating system. Probation would like to replace the computers to avoid future issues or infection of the Server. The monitors will add additional screens to officer workstations.

Ruppel made a motion to approve the request. Markstahler seconded the motion and it passed by a 6-1 vote with Nose in opposition.

Lori Draper, County Recorder presented the “Ordinance Revising User Fees for Access to Recorded Document and Amending Information Set by General Ordinance #2012-85-04” for approval by Council. Draper had reported at the February Council meeting that the current ordinance would need to be updated to incorporate the fees for remote access to recorded document information through Fidlar’s Laredo software program and for the charges under the Recorder-Fidlar service agreement. Ruppel made a motion to suspend the rules and the second reading of the ordinance. Curless seconded the motion and it passed by a 7-0 vote. Ridenour made a motion to approve Ordinance #2014-06 as requested. Dawes seconded the motion and it passed by a 7-0 vote.

Sharon Shaw, County Treasurer presented a request to lease a new copier. She stated that the current copier was leased in August 2010 for a period of five-years at a cost of \$34.10 per month with no maintenance agreement. She stated that the machine is sending false jamming messages, makes bad copies and is unreliable when needed for tax collections. She stated that Perry Corporation, current provider of several leased machines for the county has quoted a cost of \$36.00 per month for the copier and \$14.45 per month for maintenance support and a yearly personal property payment of \$25.00. Shaw stated that the Treasurer’s departmental budget has enough money this year to pay for the new leased copier but requested that next year the costs be paid from the Solid Waste Administration Fees Fund which consists of a 3% administration fee of the total recycling fees collected by the Treasurer’s office and currently has a balance of \$17,000. Markstahler made a motion to approve the copier lease and costs as requested. Ruppel seconded the motion and it passed by a 7-0 vote.

Trisha Hanes, Probation Officer and Coordinator of the Aaction Grant funding was present and answered questions raised from the previous Council meeting regarding the Aaction Grant allocations to certain organizations.

**WABASH COUNTY COUNCIL**  
**RESOLUTION 2014-07**

**A Resolution Authorizing a Loan from the Cumulative Bridge Revenue to the County General Fund.**

**WHEREAS, the Wabash County Council has determined under authority of Indiana Code 36-1-8-4, that it would be in the best interest of Wabash County to authorize a loan of Cumulative Bridge funds to the County General Fund due to an inadequate operating balance. Council has determined an emergency situation exists as timely payment of employee benefits and vendor claims is at risk;**

**NOW THEREFORE, as there are sufficient funds on deposit in the Cumulative Bridge Fund account for current needs, this Council does hereby sanction a temporary loan not to exceed the amount of one million dollars (\$1,000,000.00) from the Cumulative Bridge Fund to the County General Fund. Said appropriation is to be used for operating expenses of Wabash County. Per Indiana Code 36-1-8-4, the Cumulative Bridge Fund must be reimbursed in the total amount of the loan made on or before July 1, 2015.**

**Passed by the Wabash County Council this 24<sup>th</sup> day of March, 2014.**

Ridenour made a motion to approve the temporary loan from the Cumulative Bridge Fund. Dawes seconded the motion and it passed by a 6-1 vote with Nose in opposition.

**Encumbered Funds:** The requested amounts to be encumbered from 2013 into 2014 were reviewed by Council. Ridenour asked why the amount of \$24,380.00 needs to be encumbered from the Sheriff's department 2013 budget if the 2014 has been increased by \$25,000. Sheriff Land stated that this is the payment for the December vehicle lease. Auditor Conrad stated that this amount was encumbered in order to pay the December 2013 leased vehicle payment. Kaltenmark noted that the amount encumbered from the General Fund is much less than last year and that was the goal in making some changes to the process. Ridenour made a motion to approve the encumbrances as requested. Ruppel seconded the motion. The motion passed by a 7-0 vote.

**Fact Finding of LOIT Operating Levy Freeze:** Darren Bates, property & excise tax consultant and the County's website designer from Data Pit Stop discussed the current property and income tax situation in Wabash County and presented options for change to the current LOIT operating levy rate:

**Option 1:** Increase the LOIT Levy Freeze tax rate from the current .4% so it fully replaces the growth in property taxes. Bates explained that the Operating Levy Freeze LOIT rate may not be reduced or rescinded but the rate may be increased to replace the property tax levy growth that would otherwise occur. He noted that once the Operating Levy Freeze rate was adopted, property tax maximum permissible levies were frozen as of the year of adoption and could not grow annually. Bates noted that if the levy freeze rate is increased, Wabash County would have the highest income taxes in the State. If that happens, the County would have to resort to raising property tax rates and eventually have the highest property tax rate also.

**Option 2:** Do not increase the current levy freeze rate and thus, the LOIT Stabilization Fund, which currently supplements the decreasing operating levy collections will continue to make up the difference. The problem resulting is that the Stabilization Fund is estimated to be depleted by 2015. He also explained that the money paid from the Stabilization fund is based on all taxing units' budgets (except schools), so that if the spending is not controlled by the towns, city, libraries and townships, more money must be supplemented by the fund. School corporation increases have been funded by increased property taxes. Bates pointed out that according to the county's budget figures, the County has been doing a good job of keeping expenses under control. If the Stabilization Fund is depleted, the future growth in property tax levies will no longer be replaced by LOIT levy freeze and instead would be replaced by property taxes, thus "thawing" the property tax levy. Bates stated that this would work until the county comes up against property tax caps which limit the amount of tax paid by capping the assessed value of properties. Bates estimated that this could happen in approximately three to six years.

Regardless which option might be chosen by Council, Bates recommended rescinding the CEDIT Homestead credit because homeowners are currently being given the supplemental homestead deduction of 30%. Bates' figures indicate that the County is collecting \$1,345,000 (1/4%) which is being applied as a credit to county tax bills and some of this revenue could be used to pay for General Fund expenses if the State would allow an increase in the regular CEDIT rate. Even if the State would not allow an increase, the County's total income tax credits would be less by rescinding the CEDIT Homestead credit. Discussion followed and included the need to thoroughly review the other taxing units' budgets at the time of the non-binding reviews. Bates stated that the State has an agenda and that so much depends on what changes may come and must come from the State. Council made no decisions at this time. State

statute requires any changes in the rate to be made and certified before November 1<sup>st</sup>.

Kaltenmark asked for public comments regarding non-agenda items. There were no comments.

County Commissioner Eppley announced that a fact-finding meeting with Professor Larry DeBoer of the Department of Agricultural Economics at Purdue University has been scheduled for Monday, April 21, 2014 at 5:00 P.M. to discuss the County's LOIT operating levy rate, the current property and income tax situation and the effects of changes in business personal property tax. It was the consensus of all Council members that the other Wabash County taxing unit representatives should be invited and encouraged to attend.

**Council reviewed:**

February 2014 Auditor's and Treasurer's financial reports.

February 2014 Solid Waste Management District income statement.

With no other business to come before the Council, Ruppel motioned to adjourn the meeting; the motion passed by 7-0 vote.

**The following individuals also attended the February 24th Council meeting:**

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

Deputy Auditor B.J. Grube, County Commissioners Barry Eppley, Brian Hauptert, and Scott Givens, Purdue Co. Extension Director Teresa Witkoske; County Attorney Steve Downs, Financial Manager of Wabash City Schools Jan Roland, Animal Shelter representative Pat Lynn, Wabash Plain Dealer reporter Nick Van Heest, Brad Rody, Louella Krom, and Bonnie Corn .