

**WHITLEY COUNTY COUNCIL
DECEMBER 7, 2010**

The Whitley County Council met in regular session on Tuesday, December 7, 2010 in the Commissioner's Room located on the first floor of the Whitley County Government Center. Members in attendance were Chairman Kim Wheeler, Vice Chairman John Barrett, James Bayman, Glen LaRue, William Overdeer and Paula Reimers. Also in attendance for all or part of the meeting were Auditor Linda Gerig, County Coordinator Amy Crickmore, County Recorder Rosemary Brown, County Assessor Angela Adams, County Clerk Cindy Doolittle, Clerk-elect Debbie Beers, Sheriff Mark Hodges, Deputy Marc Gatton, County Engineer Brandon Forrester, Lisa Lee, Todd Samuelson, George Schrumpf, Alan Tio, Greg Stahlcup, David Koenig, Mike Schrader and Post and Mail reporter Phil Smith. Chairman Wheeler called the meeting to order at 8:00 a.m.

IN THE MATTER OF PREVIOUS MINUTES: The minutes of November 3, 2010 were approved as presented.

IN THE MATTER OF RECOVERY ZONE FACILITY BONDS: Lisa Lee of Ice Miller was present to discuss the issuance of Recovery Zone Facility Bonds for Iotron Industries USA, Inc. The County will issue Recovery Zone Facility Bonds to finance a portion of the construction of a commercial building to house an electron beam accelerator and the manufacture and assembly of an electron beam accelerator. Ordinance No. 2010-13, Ordinance Authorizing Whitley County, Indiana to Issue Its "Recovery Zone Facility Bonds, Series 2010 A and B" and Approving and Authorizing Other Actions in Respect Thereto, was introduced. Lisa Lee explained that there will be no liability to the County in the issuance of these bonds. After further discussion, Overdeer moved, seconded by LaRue, to approve Ordinance No. 2010-13. The motion carried 7/0. (See Ordinance No. 2010-13 on file in the auditor's office). Ordinance No. 2010-14, Ordinance Authorizing Whitley County, Indiana to Issue its "Taxable Economic Development Revenue Bonds, Series 2010" and Approving and Authorizing Other Actions in Respect Thereto," was introduced by Lee. The County will issue its Taxable Economic Development Revenue Bonds to finance a portion of the acquisition of land and the construction of a commercial building to house an electron beam accelerator and the manufacture and assembly of an electron beam accelerator. After discussion of the Ordinance, Bayman moved, seconded by Western, to approve Ordinance No. 2010-14. The motion carried 7/0. (See Ordinance No. 2010-14 on file in the auditor's office).

IN THE MATTER OF TAX ABATEMENT REQUEST: Alan Tio explained a request for Tax Abatement from Fort Wayne Metals Research Products Corporation. The request for real property abatement is \$2,750,000 and personal property in the amount of \$1,823,500. The term of the abatement is 10 years. The number of employees is projected at 35. Fort Wayne Metals will occupy the former Fort Wayne Foundry facility in Gateway Industrial Park. After further discussion of the request, Overdeer moved, seconded by LaRue to approve ten-year tax abatement to Fort Wayne Metals Research Products Corporation. The motion carried 5/0.

IN THE MATTER OF CEDIT INCENTIVE MONEY: Alan Tio and Greg Stahlcup, a representative of Sites Medical, were present to discuss the Phase III payment of CEDIT Incentive money pursuant to an agreement dated November 16, 2009. Tio explained the EDC Investment Board had met and reviewed the requirements for Phase III and send a favorable recommendation to County Council that the requirements have been met. After further discussion, Overdeer moved, seconded by LaRue, to approve the release of funds for Phase III in the amount of \$100,000. The motion passed with six in favor and one abstention by Paula Reimers.

IN THE MATTER OF RECORDER REQUEST: County Recorder Rosemary Brown was present to discuss an internet issue within her office in regards to electronic documents maintained in her office and future e-recording. Brown asked that a dedicated line be installed for her office by Mediacom at a cost of \$140/month. Western moved, seconded by LaRue, to allow Brown to proceed with the dedicated line subject to a non-binding contract. The motion carried 7/0.

IN THE MATTER OF COUNTY CLERK: Cindy Doolittle and clerk-elect Debbie Beers were present to discuss positions that will change after January 1, 2011. Job descriptions are being changed and will need to be re-factored.

IN THE MATTER OF NEW VEHICLE: Engineer Brandon Forrester was present to discuss the quotes he obtained for a new vehicle for his office. Forrester presented three quotes ranging from \$16,500 to \$17,900. His recommendation would be the 2008 Trail Blazer quoted at \$17,900. After further discussion of the matter, Bayman moved to allow \$17,000 from the Rainy Day Fund and his department funds the additional \$900. The motion was seconded by LaRue and passed 7/0.

IN THE MATTER OF ENGINEER SALARY FOR 2011: Brandon Forrester was present to discuss the issue of his salary being budgeted in County General and Highway budgets for 2011. Discussion was held on the matter which was tabled until January 4, 2011.

IN THE MATTER OF REQUEST TO TRANSFER FUNDS: The follow transfer requests were considered:

TRANSFER RESOLUTION

Whereas, certain emergencies have developed since the adoption of the existing annual budget, so that it is necessary to transfer funds that were appropriated to the annual budget; now, therefore to meet such emergencies: Section 1. Be it resolved by the County Council of Whitley County, Indiana, that for the expenses of said Whitley County, sums of money are hereby transferred as follows:

<u>Transfer From</u>	<u>Transfer To</u>	<u>Amount</u>	<u>Yes</u>	<u>No</u>	<u>Abstain</u>
County General	County General	\$2000	-7-	-0-	-0-
Assessor	Assessor	Motion: Western	Second: Reimers		
County General	County General	\$15,000	-7-	-0-	-0-
Sheriff	Sheriff	Motion: Bayman	Second: Reimers		
County General	County General	\$15,000	-7-	-0-	-0-
Jail	Jail	Motion: LaRue	Second: Barrett		

This resolution adopted this 7th day of December, 2010.

Whitley County Council

Kim Wheeler – signed	William Overdeer – signed
John Barrett – signed	Paula Reimers – signed
James Bayman – signed	
Glen LaRue – signed	
Thomas E. Western – signed	Attest: Linda J. Gerig, Auditor – signed

IN THE MATTER OF BUDGET REDUCTION: Sheriff Mark Hodges presented a request to reduce the 2010 Jail budget.

REDUCTION OF APPROPRIATIONS RESOLUTION/ORDINANCE

Whereas, it has been determined that it is possible to reduce the funds listed from those appropriated in the annual budget; now, therefore: Sec. 1. Be it ordained (resolved) by the Whitley County Council of Whitley County, Indiana that for the expenses of the taxing unit the following sums of appropriations are hereby reduced from the funds named and for the purposes specified, subject to laws governing the same:

<u>Fund Reduced</u>	<u>Amount</u>	<u>Yes</u>	<u>No</u>	<u>Abstain</u>
County General	\$17,000	-7-	-0-	-0-
Jail		Motion: Western	Second: Bayman	

This ordinance adopted on this 7th day of December, 2010.

Whitley County Council

Kim Wheeler – signed	William Overdeer – signed
John Barrett – signed	Paula Reimers – signed
James Bayman – signed	
Glen LaRue – signed	
Thomas Western – signed	Attest: Linda J. Gerig, Auditor

IN THE MATTER OF ADDITIONAL APPROPRIATION REQUESTS: The following requests for additional appropriation of funds were presented by Sheriff Mark Hodges.

ADDITIONAL APPROPRIATION RESOLUTION/ORDINANCE

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 (resolved) by the Whitley County Council of Whitley 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 laws governing the same:

<u>Fund Name</u>	<u>Amt Requested</u>	<u>Amt Approved</u>	<u>Yes</u>	<u>No</u>	<u>Abstain</u>
County General	\$8,000.00	\$8,000.00	-7-	-0-	-0-
Jail	Motion: Bayman	Second: Western			
County General	\$3,000.00	\$3,000.00	-7-	-0-	-0-
Jail	Motion: Bayman	Second: Western			
County General	\$6,000.00	\$6,000.00	-7-	-0-	-1-*
Jail	Motion: Bayman	Second: Western			

This ordinance adopted on this 7th day of December, 2010.

Whitley County Council

Kim Wheeler – signed	William Overdeer – signed
John Barrett*	Paula Reimers – signed
James Bayman – signed	
Glen LaRue – signed	
Thomas E. Western – signed	Attest: Linda J. Gerig, Auditor

IN THE MATTER OF NEW COPIER: Auditor Linda Gerig presented a request for a new copier for the Clerk’s Office. The current copier will then replace the copier in File Management. Western moved, seconded by Overdeer, to allow Cum Cap Funds to be used in the amount of \$3939.00. The motion carried 7/0.

IN THE MATTER OF COMMISSIONER REPORT: Commissioner Chairman Michael Schrader reported on the following items discussed on December 6, 2010.

- South Whitley Library Board Appointment for Carrie Hoffman
- 2011 Annual Supply Bids for the Highway Department were received. They will be awarded December 20, 2010.
- 2010 Commissioner Conference topics.
- An 800MHz Voter (Repeater) will be purchased with E-911 funds and will be installed in South Whitley.
- A two-year maintenance contract was signed with Havel Bros. for the HVAC system in the jail.
- The Whitley County Emergency Comprehensive Plan has been updated by EMA Director
- The computer back-up system was recently damaged by a power outage. The system will be replaced if Council approves funding. Overdeer moved, seconded by LaRue, to allow Cum Cap funds in the amount of \$2203. The motion carried 7/0. It was then recommended by Reimers that off-site back-up services be investigated. Overdeer moved, seconded by LaRue, that this service be investigated. The motion carried 7/0.

There being no further business or public comment, the meeting was adjourned.

WHITLEY COUNTY COUNCIL

Kim Wheeler, Chairman

John Barrett, Vice Chairman

James Bayman

Glen LaRue

Thomas E. Western

William N. Overdeer

Paula G. Reimers

Attest:

Linda J. Gerig, Auditor