

WHITLEY COUNTY COUNCIL
JUNE 2, 2009

The Whitley County Council met in regular session on June 2, 2009 in the Commissioner's Room located on the first floor of the Whitley County Government Center. Council members in attendance were Chairman Thomas E. Western, Vice Chairman Kim Wheeler, James Bayman, John Barrett, William Overdeer and James E. Banks. Glen LaRue was absent. Also in attendance for all or part of the meeting were Auditor Linda Gerig, County Coordinator Amy Crickmore, County Recorder Rosemary Brown, Highway Supervisor Michael Barton, Chief Probation Officer Doug Jones, Janet Scank, Bob Brittain, Don Langeloh, Jennifer Zartman-Romano, Alan Tio, Tom Rethlake and TJ Hemlinger. Chairman Western called the meeting to order at 8:00 a.m.

IN THE MATTER OF PREVIOUS MINUTES: The minutes of May 5, 2009 were approved as presented.

IN THE MATTER OF PEABODY PUBLIC LIBRARY CAPITAL PROJECTS PLAN: Janet Scank of the Peabody Public Library presented the Capital Projects Plan for 2010-2012 as advertised and approved by the Library Board. The Plan includes appropriations for completion of the unfinished area of the library and purchases of copier, computers, repair/replacement of heating system and other capital purchases over the next three years. The tax rate is being estimated at .0104. Overdeer moved to approve the Plan as presented. Barrett seconded the motion and the vote to approve was 6/0.

IN THE MATTER OF PROPERTY FRAUD ALERT: Recorder Rosemary Brown was present to inform the council members about property fraud and what measures her office has taken to prevent it. Property Fraud occurs when someone illegally uses a property for financial gain by recording fraudulent documents making it appear they own the property. Brown explained that every property owner can subscribe to a free service via the internet to register their property and receive notification if any documents are recorded in her office pertaining to that property. Brown explained further, that through her software vendor, the documents in her office are now on line. This is a remote access product and allows 24-hour access to the documents. There is a cost associated with the internet access and a username and password are necessary.

IN THE MATTER OF REQUEST TO TRANSFER: Doug Jones was present to make the following request to transfer funds with his department's budget.

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>
Probation	Probation				
249-000-53490.00	249-000-51112.00	\$1,800	-6-	-0-	-0-
249-000-53490.00	249-000-51171.00	200	-6-	-0-	-0-

Motion: Bayman Second: Banks

This resolution adopted on this 2nd day of June, 2009.

Whitley County Council

Thomas E. Western – signed

Kim Wheeler – signed

James Bayman – signed

Attest: Linda J. Gerig, Auditor

John Barrett – signed

William Overdeer – signed

James E. Banks – signed

IN THE MATTER OF HIGHWAY DEPARTMENT: Supervisor Michael Barton was present to discuss current road work being done by that department. Future plans for road repairs were also discussed, along with the public meeting that will be held at the Government Center on June 3, 2009. Barton also inquired about the interest earned on MVH monies.

IN THE MATTER OF ECONOMIC DEVELOPMENT CORPORATION: President Alan Tio presented a recap of 2008 activities and explained marketing methods currently being used to expand economic development in Whitley County. Tio also presented the 2010 budget. A new Investment Committee is being formed to review CEDIT requests. This committee will do an in depth analysis of the business requesting the funds before the approaching county council for the distribution of funds.

IN THE MATTER OF TEMPORARY LOAN: Auditor Gerig was present to request a temporary loan between funds in order to make the spring bond payment for the Government Center due to a delay in tax collection. The loan will be paid back with the spring tax settlement.

TEMPORARY LOAN BETWEEN FUNDS RESOLUTION

Whereas, certain emergencies have developed since the adoption of the existing annual budget, so that it is necessary to loan funds from:

Cum Cap Fund	TO	Government Center Payment
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Section 1. Be it resolved by the County Council of Whitley County, Columbia city, Indiana, that for the expense of said Whitley County, sums of money are hereby advanced as follows and must be transferred back by the end of the budget year 2009.

From: 256-000-59000.00	\$177,741.17	TO	253-000-59000.00	\$177,741.17
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Motion: Bayman

Second: Banks

This resolution has been adopted this 2nd day of June, 2009

Whitley County Council

Thomas E. Western – signed

John Barrett – signed

Kim Wheeler – signed

William Overdeer – signed

James Bayman – signed

James E. Banks – signed

Attest: Linda J. Gerig, Auditor

IN THE MATTER OF ADDITIONAL APPROPRIATION: Auditor Gerig presented this request on behalf of the Office of Family and Children.

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</u>	<u>Amt Requested</u>	<u>Amt. Approp.</u>	<u>Yes</u>	<u>No</u>	<u>Abstain</u>
Rainy Day Fund	\$8,176	\$8,176	-6-	-1-*	-0-

Motion: Overdeer

Second: Wheeler

This ordinance adopted on this 2nd day of June, 2009.

Whitley County Council

Thomas E. Western – signed

John Barrett – signed*

Kim Wheeler – signed

William Overdeer – signed

James Bayman – signed

James E. Banks – signed

Attest: Linda J. Gerig, Auditor

IN THE MATTER OF PERFORMANCE PAY: County Coordinator Amy Crickmore was present to ask that the Performance Pay be released to employees on July 20, 2009. Banks moved, seconded by Bayman, to approve the release of Performance Pay on July 20, 2009. The motion passed with a 6/0 vote.

IN THE MATTER OF WHEEL TAX/SURTAX: Discussion was held on the continuation of the current Wheel Tax/Surtax rates for 2010. Ordinance No. 2009-03 was introduced which would keep the current rates being charged. Discussion was held pertaining to the future of the tax regarding rescinding or increasing for future years. Council will revisit the tax during the next year and make a determination. Overdeer moved, seconded by Wheeler, to approve Ordinance No. 2009-03 with the stipulation that 20% of the income generated be used to convert dirt roads to paved roads. The county attorney will be consulted before next year's deadline. The motion passed with a 5/1 vote with Banks casting the No vote.

IN THE MATTER OF BOARD APPOINTMENT: Gary Gordon was reappointed to the Alcoholic Beverage Board for 2009.

IN THE MATTER OF COMMISSIONER REPORT: Tom Rethlake reported on topics discussed on June 1 by the Board of Commissioners.

- Commissioners approved \$25,000 of CEDIT funds for Bagan Inc. Discussion was held on this matter when Rethlake asked for approval from Council. Council members are not in favor of granting this due to the nature of the intended use for the monies. Commissioners were designating the money to be used for technology by Bagan Inc. Alan Tio of the Economic Development Corporation stated that a new Investment Committee is being formed to review requests for CEDIT funds. Wheeler moved, seconded by Overdeer to refer the Bagan Inc. request to the Investment Board and wait for a recommendation. The motion passed 4/2 with Bayman and Banks casting the No votes.
- The county attorney is awaiting a response from the school board attorney on the revised agreement for the fuel facility.

- EMS Director Duane Ginder is applying for a possible grant for the construction of a new EMS garage.
- The county’s ERT van is being given to the Columbia City Police Department for use by their ERT.

The rest of the meeting was spent on approving abatement compliance forms. Companies found to be noncompliant will be notified.

There being no further business, the meeting was adjourned.

WHITLEY COUNTY COUNCIL

Thomas E. Western, Chairman

Kim Wheeler, Vice Chairman

James Bayman

ABSENT

Glen LaRue

John Barrett

William Overdeer

James E. Banks

Attest:_____
Linda J. Gerig, Auditor