

DECEMBER 17, 2007

Wabash County Commissioners met in regular session in the Wabash County Courthouse on Monday, December 17, 2007. Vice-Chairman Hauptert called the meeting to order with two members present: Scott Givens and Brian Hauptert. County Auditor Jane Ridgeway recorded the minutes. Givens moved to approve the minutes from the December 10, 2007 as written. His motion was seconded by Hauptert and approved with a 2-0 vote.

Highway Superintendent Phil Amones presented a Consent and License Agreement with Wabash Valley Power, a Touchstone Energy Cooperative concerning the County Road 850N project. The Commissioners confirmed there were no plans to widen the road at this time and approved and signed the agreement to allow Wabash Valley Power – Consent for Right-of-Way: 850 N. Amones also reported his department is continuing to work on clearing roads following the weekend snowstorm. He asked the Board and EMA Director is keep the weather advisory on for a while until they can finish all of the county roads.

Wabash County Sheriff Leroy Striker reported an average daily population in the jail this week of 108.42. He stated they had moved 12 to the Department of Corrections on Friday and that 67 had not yet been sentenced.

EMA Director Bob Brown reviewed the CodeRed contract agreement with the Board and they signed the agreement for the new warning system. He also reviewed General Ordinance 85-11, 2007, as follows, with the Board and Commissioner Attorney Steve Downs. Following discussion and second reading, Givens moved to approve the ordinance. Hauptert seconded the motion and the Ordinance was adopted by a 2-0 vote as follows:

The Board of Commissioners of Wabash County, Indiana

GENERAL ORDINANCE NO. 85-11, 2007

AN ORDINANCE REGULATING TRAFFIC ON COUNTY HIGHWAYS BY THE

DECLARATION OF A WEATHER ADVISORY OR A SNOW EMERGENCY

WHEREAS, the Board of Commissioners of Wabash County, Indiana, may adopt ordinances regulating traffic on any highway in the County highway system, subject to I.C. 9-21.

WHEREAS, it has been determined that a procedure should be implemented-when it is believed that there is a threat of widespread or severe damage, injury, or loss of life or property resulting from the accumulation of snow and/or ice.

NOW, THEREFORE, IT IS NOW ORDAINED AS FOLLOWS:

1. Definitions.

- 1.1. "Commissioners" shall mean the Board of Commissioners of Wabash County, Indiana.
- 1.2. "Committee" shall mean the committee composed of the president of the Commissioners, the Wabash County Highway Superintendent, the Wabash County Sheriff, and the Wabash County Director of Emergency Management and Homeland Security Agency, or their respective designees.

- 1.3. "Coordinator" shall mean the president of the Commissioners or his designee.
 - 1.4. "Snow Emergency" shall mean a formal declaration by the Commissioners that there is a threat of widespread or severe damage, injury, or loss of life or property resulting from the accumulation of snow and/or ice during which all motor vehicle traffic on County Highways shall be prohibited.
 - 1.5. "Weather Advisory" shall mean a formal declaration by the Commissioners that there is a threat of widespread or severe damage, injury, or loss of life or property resulting from the accumulation of snow and/or ice during which traffic is permitted on County Highways at the driver's risk.
2. Procedure for Declaring a Weather Advisory or a Snow Emergency.
- 2.1. When, in the opinion of the Committee, the actual or expected accumulation of snow and/or ice will create a threat of widespread or severe damage, injury, or loss of life or property resulting from the accumulation of snow and/or ice, the Committee shall recommend, in its discretion, to the Commissioners that they declare either a Weather Advisory or a Snow Emergency.
 - 2.2. If the Commissioners agree with the recommendation of the Committee, they shall declare, in their discretion, either a Weather Advisory or a Snow Emergency.
3. Effect of Declaration of a Weather Advisory or a Snow Emergency.
- 3.1. If a Weather Advisory is declared, motorists may travel on County Highways at their own risk.
 - 3.2. If a Snow Emergency is declared, all motor vehicle travel on County highways is prohibited.
 - 3.3. If, during a Weather Advisory or a Snow Emergency, a motor vehicle becomes disabled, abandoned or incapable of moving under its own power, the vehicle may be removed at the expense of its owner at the direction of any member of the Committee.
 - 3.4. During a Weather Advisory or a Snow Emergency:
 - 3.4.1 No motor vehicle shall be parked on a County highway or right of way.
 - 3.4.2 Pushing (plowing) snow on to a County highway or right of way is prohibited.
4. Procedures to be Followed upon the Declaration of a Weather Advisory or a Snow Emergency.
- 4.1. The Director of Emergency Management and Homeland Security shall alert media outlets when a Weather Advisory or a Snow Emergency has been declared.
 - 4.2. A Weather Advisory or Snow Emergency shall be in effect until terminated by the Commissioners.
5. Motor Vehicles Exempt from the Weather Advisory or Snow Emergency. The following motor vehicles shall be exempt from the effects of a declarations of either a Weather Advisory or a Snow Emergency:
- 5.1. All emergency response vehicles, public utility vehicles, towing vehicles, and vehicles being operated for the sole and express purpose of caring for livestock.
 - 5.2. Any snowmobiles or other off-road vehicles which are declared to be "emergency vehicles" under this ordinance by the Coordinator or Sheriff of Wabash County.
6. Penalty. Any person who violates any of the provisions of this ordinance commits a Class "C" infraction.

ADOPTED by the Board of Commissioners of Wabash County, Indiana, this 17th day of December, 2007.

ss/ **Lester D. Templin, Chairman**
ss/ **Brian K. Haupert**
ss/ **Scott E. Givens**

ATTEST: ss/**Jane Harper Ridgeway, Auditor**

Wabash County Auditor Jane Ridgeway again presented the Rainy Day Fund Ordinance (85-12) as approved and passed by the County Council to create and use a Rainy Day Fund for accrued but unused employee benefits to be paid at termination of employment and also Ordinance 85-15 for Real Property Endorsement Fees to increase the Auditor's Plat Transfer fees from \$1.00 to \$5.00 beginning in January, 2008. The Board approved passing both ordinances on second reading on a motion by Givens, second by Hauptert and 2-0 votes.

The Board of Commissioners of Wabash County, Indiana, and the County Council of Wabash County, Indiana

GENERAL ORDINANCE NO. 85-12, 2007

AN ORDINANCE CREATING A RAINY DAY FUND

WHEREAS, under I.C. 36-1-8-5.1, the County may establish a rainy day fund.

WHEREAS, it has been determined that the County has insufficient funds with which to pay accrued but unused employee benefits due employees at the time their employment with the County terminates.

WHEREAS, it has been determined that the County should establish a rainy day fund for the purpose of supplementing those funds necessary to pay accrued but unused employee benefits due employees at the time their employment with the County terminates.

NOW, THEREFORE, IT IS ORDAINED AS FOLLOWS:

There is now created a rainy day fund for the purpose of supplementing funding necessary to pay accrued but unused employee benefits due employees at the time their employment with the County terminates, which fund may be interest bearing.

1. The source of funding for the rainy day fund shall include unused and unencumbered funds under:
 - 2.1. I.C. 36-1-8-5 (special tax levy);
 - 2.2. I.C. 6-3.5-1.1-21.1 (CAGIT special account);
 - 2.3. I.C. 6-3.5-6-17.3 (COIT special account);
 - 2.4. I.C. 6-3.5-7-17.3 (CEDIT special account);
 - 2.5. Any other funding source specified in resolution adopted under I.C. 36-1-8-5.1 and not otherwise prohibited by law; and/or
 - 2.6. Interest earned on monies in the fund.
2. Subject to the provisions of I.C. 36-1-8-5.1, the rainy day fund is subject _ to the same appropriation process as other County funds that receive tax money.

ADOPTED by the Board of Commissioners of Wabash County, Indiana, and by the County Council of Wabash County; Indiana, this 3rd day of December, 2007.

ss/ Lester D. Templin, Chairman

ss/ Brian K. Hauptert

ss/ Scott Givens

ATTEST: ss/Jane Harper Ridgeway, Auditor

The Board then passed the following Ordinance to increase the real property endorsement fee for the Auditor's office from \$1.00 to \$5.00 on a motion to approve on second reading by Givens, seconded by Hauptert and a 2-0 vote.

ORDINANCE No. 85-15, 2007
ORDINANCE FOR REAL PROPERTY ENDORSEMENT FEE

WHEREAS, in accordance with Indiana Code 36-2-9-18(d), the Auditor of Wabash County may collect a fee of Five Dollars (\$5.00) for each legal description of each parcel contained in the deed for which the auditor makes a real property endorsement; and

WHEREAS, said sum collected shall be placed in a dedicated fund for the use of maintaining plat books; and
WHEREAS, the Board of Commissioners of Wabash County, Indiana is the governing body for
said Auditor and County; and

BE IT THEREFORE ORDAINED that in accordance with Indiana Code 36-2-9-18(d), the Auditor of Wabash County, Indiana may collect a fee of Five Dollars (\$5.00) for each legal description of each parcel contained in the deed for which the auditor makes a real property endorsement;

BE IT FURTHER ORDAINED that such fee shall be in addition to any other fee provided by law and shall be placed in a dedicated fund for the use of maintaining plat books.

BE IT FURTHER ORDAINED that the Auditor of Wabash County, Indiana, shall have the authority to collect a fee of Five Dollars (\$5.00) for each legal description of each parcel contained in the deed for which the auditor makes a real property endorsement. Such fee shall be in addition to any other fee provided by law and shall be placed in a dedicated fund for the use of maintaining plat books.

All previous ordinances regarding endorsement fees are null and void.

DULY EXECUTED this 3rd day of December, 2007.

ss/ Lester D. Templin, Chairman
ss/ Brian K. Hauptert
ss/ Scott E. Givens

ATTEST: *ss/Jane Harper Ridgeway, Auditor*

Dave Young representing AACTION, the Local Coordinating council for Governor's Commission for Drug-Free Communities, reviewed the recommended grants totaling \$31,355.00 Young noted extra criteria is not included as well as their latest approved comprehensive plan. Hauptert commented that the local AACTION group does a good job of working with the community. Givens thanked Young for all the time spent in the project and moved to approve the planned grants and send to the Wabash County Council to funding approval. Hauptert seconded the motion and it passed 2-0.

The Board then reviewed and approved the appointments to the Wabash County Convention and Visitors Bureau as recommended at the last meeting. Givens moved to approve the following, seconded by Hauptert and approved by a 2-0 vote: Carol Long, replacing Louella Krom; Teresa Rody, replacing Marvin McNew, and Alexia Young, replacing Randy Fruitt. Their terms will begin on January 1, 2008 and expire on December 31, 2009.

The Commissioners reviewed and approved the following as presented by the Auditor:

Payroll Claims & Allowance for Pay Period ended December 15, 2007

Custodian D. Smith hours for Pay Period ended December 8, 2007

Accounts Payable Claims and Allowance Docket-advertised for payment
Dec. 17th

Monthly Report – Clerk of the Circuit Court – November 30, 2007

Database Management Agreement Notice with CSI for the Clerk's office for the
year 2008

INDOT – Legal Notice of Planned Improvement

IDEM: RAI Permit Renewal – Wabash Alloys RWS I

Weights and Measures Monthly Report – December 15, 2007

State Surplus Sale

No other business, the Board recessed. The Commissioners will hold a special meeting on December 21st to conduct year-end business. The next regular meeting will be a re-organizational meeting on January 2, 2008 at 9:00 A.M. in the Commissioners Meeting Room on the second floor of the courthouse.