

FEBRUARY 11, 2008

Wabash County Commissioners met in regular session in the Wabash County Courthouse on Monday, February 11, 2008. Chairman Scott Givens called the meeting to order at 9:00 A.M. with all members present: Lester D. Templin, Brian K. Hauptert, and Scott E. Givens. The minutes from the February 4 meeting were reviewed. Hauptert made a motion to approve as written. It was seconded by Templin and approved with a 3-0 vote.

Phil Amones, WC Highway Department Superintendent, reported:

1. Verizon requesting permission to place cable along 4th Street at E1425N and E1435- Liberty Mills.
2. Employee recommended last week for a driver/operator declined the offer. Amones presented a new applicant. Commissioners unanimously approved recommendation of new applicant.
3. Givens informed Amones that WC resident Orlin Miller had told him of a large hole along the side of the road at 6626S 700E, LaFontaine. Highway may want to take a look at the area.
4. Amones wanted to know if Commissioners would be attending the upcoming Road School – all three stated they will attend.
- 5.

Leroy Striker, Wabash County Sheriff reported,

1. An average daily population last week in the jail: 97.14.
2. An invoice totaling \$673.00 from Tri-W Plbg., HTG, and ELEC. Access point for computers and a wireless connection were added to enable another station for dispatch and for wireless access. Templin stated he understands that this needed to be done quickly. In the future, Commissioners would like to know of the work ahead of time. Templin made a motion to approve the request for \$673.00. It was seconded by Hauptert and approved with a 3-0 vote.

Jim Dils WC Coordinator reported:

1. Presented a letter from Planning Commission requesting the appointing of the Planning Commission Board and appointments to the Boarding Zone of Appeals. Hauptert made a motion to appoint David Schuler to BZA. It was seconded by Templin and approved with a 3-0 vote. The names for the PC Board they will take under advisement.
2. Dils and Auditor Ridgeway had met with Strategic Health Benefits Insurance to review options for the upcoming Health Plan renewal. Dils stated they would like to meet with Commissioners to review. Commissioners set March 3, 2008 at 11:00 A.M. Givens requested that any information regarding the comparison of the current and new options be given to them ahead of time for review.

Bill Konyha, President and CEO WC EDG came before Commissioners to review, get approval, and signatures for Resolution No. 1-2008. Konyha stated this Solid Waste Bond could save \$600,000-900,000.00 in interest which in turn could be used for road improvements. Konyha also stated the repayment of the Bond will come solely from the POET.* Hauptert moved to approve Resolution No.1-2008. Motion was seconded by Templin and approved with a 3-0 vote.

WABASH COUNTY, INDIANA

RESOLUTION NO. I - 2008

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE COUNTY OF WABASH, INDIANA,
DECLARING OFFICIAL INTENT TO REIMBURSE EXPENDITURES FROM THE PROCEEDS OF
ECONOMIC DEVELOPMENT REVENUE BONDS OF THE COUNTY

WHEREAS, Wabash County, Indiana (the "County"), is authorized by Indiana Code 36-7-11.9, as amended, and Indiana Code 36-7-12, as amended (collectively, the "Act"), to issue revenue bonds under the Act for economic development facilities (as defined in the Act) to accomplish the purposes of the Act, and to make a loan of the proceeds from such bonds to a user (as defined in the Act) for the cost of acquisition, construction or installation of economic development facilities; and

WHEREAS, the Act defines "economic development facilities" to include any land, any interests in land, any site improvements, any infrastructure improvements, any buildings, any structures, any rehabilitation, renovation and enlargement of any buildings and structures, any machinery, any equipment and any furnishings for facilities for commercial or business activities; and

WHEREAS, the Act provides that the financing of economic development facilities that promote a substantial likelihood of creating or retaining opportunities for gainful employment serves a public purpose and will be of benefit to the health or general welfare of the unit proposing to issue bonds for the financing or of the unit where the facilities that are to be financed are located; and

WHEREAS, North Manchester Ethanol, LLC (the "Company"), has requested that the County issue tax-exempt obligations under the Act (the "Bonds") for economic development facilities to accomplish the purposes of the Act, and make a loan of the proceeds from the Bonds to the Company or an affiliate thereof for the cost of acquisition, construction or installation of certain economic development facilities, which economic development facilities will consist of any land, any interests in land, any site improvements, any infrastructure improvements, any buildings, any structures, any rehabilitation, renovation or enlargement of any buildings or structures, any machinery, any equipment or any furnishings for facilities for commercial or business activities, including, in particular, a dry mill ethanol production facility, which, in part, will process a waste product from such production into distillers dried grain with solubles (such economic development facilities, the "Project"); and

WHEREAS, the Bonds shall be payable solely from revenues derived from payments to be made by the Company or an affiliate thereof, shall not constitute a debt, liability or obligation of the County, the State of Indiana (the "State") or any political subdivision thereof, within the meaning of any constitutional or statutory provision or limitation, or a pledge of the faith and credit or taxing power of the County, the State or any political subdivision thereof and shall not be payable in any manner from revenues raised by taxation; and

WHEREAS, it is anticipated that the Company or an affiliate thereof will advance all or a portion of the costs of the Project prior to the issuance of the Bonds, with such advance to be repaid from proceeds of the Bonds upon the issuance thereof; and

WHEREAS, Section 1.150-2 of the Treasury Regulations on Income Tax (the "Reimbursement Regulations") specifies conditions under which a reimbursement allocation may be treated as an expenditure of bond

proceeds, and the County intends by this Resolution to qualify amounts advanced by the Company or an affiliate thereof to the Project for reimbursement from proceeds of the Bonds in accordance with the requirements of the Reimbursement Regulations;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE COUNTY OF WABASH, INDIANA, as follows:

1. The maximum principal amount of the Bonds expected to be issued for the Project is \$30,000,000.
2. The Board of Commissioners of the County of Wabash, Indiana, hereby declares its official intent, on behalf of the County, to issue the Bonds to finance the costs of the Project and hereby declares that it reasonably expects to reimburse the advances of the Company or an affiliate thereof to the Project as anticipated by this Resolution.
3. The Bonds shall be authorized by proper proceedings subsequent to this Resolution.
4. All prior resolutions and parts of resolutions, if any, insofar as they may be in conflict with this Resolution are hereby rescinded.

Adopted this 11th day of February, 2008.

BOARD OF COMMISSIONERS OF THE COUNTY OF WABASH, INDIANA

Steve Downs, County Attorney and Commissioners also discussed that an Agreement is in process between Wabash County and North Manchester Ethanol concerning the railroad and highway construction changes at 800N. After the agreement is drafted, then NME will order the railroad crossing. Templin informed Downs of information that will be coming on a Right of Way Easement on the north side of 800N a 32 foot strip of land.

Bob Brown, WC EMA Director stated he was currently wrapping up the Code Red Project.

Auditor Ridgeway informed Commissioners she will be gone next week. Kim Carey WC Accounts Payable will take her place.

Commissioners reviewed the following items:

1. IDEM Notice of Decision – Approval: G&S Metal Consultants, Inc.
2. Dept of Justice: National Crime Victims Rights Week Information
3. Indiana Public Records Request; A. Varkey
4. INDOT Purchase Order for Bridge over Charley Creek

Commissioners reviewed and approved the following items:

1. Payroll Claims and Allowance Docket for pay period ended – February 9, 2008
2. MJV Group, Inc. Building Service Agreement for the new year; motion made by Templin, seconded by Hauptert approved with a 3-0 vote – Signed by Commissioners
3. Refund for Midwest Poultry Services totaling \$9,179.52 –Signed by Commissioners

4. Board of Finance minutes from Treasurer Luann Layman – Signed by Commissioners
5. Tiede Metz & Downs Claim for January 2008 – Commissioners signed
6. IRS Blanket Consent for County Real Estate Property Sales approval for Auditor to sign and forward

No other Business, the meeting recessed. Commissioners will meet in regular session on Monday, February 18, 2008 at 9:00 A.M. in the Commissioner's Meeting Room on the second floor of the Wabash County Courthouse.

*Amended with approval 2-18-08