

NOVEMBER 17, 2008

Wabash County Council and Wabash County Commissioners met in Special Session on Monday, November 17, 2008 at the Wabash County Courthouse. Prayer was offered by Jim Kaltenmark. Chairman Bob Fuller called the meeting to order at 5:00 P.M. with all Council members present: Dean Eppley, Bob Fuller, Gary Nose, Jim Kaltenmark, Mike Ridenour, Ted Little, Claude Markstahler, and the Board of Commissioners: Scott Givens, Brian Hauptert and Les Templin. The proceedings of the meeting were recorded by Wabash County Auditor Jane Ridgeway.

The minutes of the October 27, 2008 County Council meeting were reviewed. Eppley made a motion to approve as written. The motion was seconded by Little; motion was approved 7-0.

The next order of business was to address the Additional Appropriations as advertised for Additional Appropriations Ordinance 2008 NO. XII:

**ADDITIONAL APPROPRIATIONS
ORDINANCE 2008 NO. XII**

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 by the Wabash County Council of Wabash 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 the laws governing the same:

	Amount Requested	Amount Appropriated	AYE	NAY
DEPARTMENT OF FAMILY & CHILDREN SERVICES (Tabled from October 27, 2008 Meeting)				
Other Services & Charges – Care of Wards in Foster Homes	\$ 410,000.00	\$ 200,000.00	7	0
Other Services & Charges – Care of Wards in Institutions	\$ 39,000.00	\$ 25,000.00	7	0
Other Services & Charges – Preservation Services	\$ 67,000.00	\$ 50,000.00	7	0
Other Services & Charges – Care of Wards in Foster Homes – Probation	\$ 26,000.00	\$ 15,000.00	7	0
Other Services & Charges - Care of Wards in Institutions – Probation	\$ 236,000.00	\$ 125,000.00	7	0

Marjorie Justice, Department of Family and Children Services stated that she currently has funds of \$430,000.00. Justice asked Council to appropriate \$415,000.00 (Foster Funds \$200,000.00; Institutions \$ 25,000.00; Preservation Services \$ 50,000.00; Foster Homes – Probation \$ 15,000.00 and Institutions – Probation \$125,000.00) to cover the October bills. Fuller

states that there will still need to pursue a loan to assist with covering the bills that will be incurred during the remainder of the year. Ridgeway states that the Temporary Loan from the Local Road and Street Fund of \$500,000.00 will need to be paid back by the end of the year. Ridgeway went on to say that the Property Tax settlement should cover the loan pay back. Little made a motion to approve \$415,000.00. Nose seconded; motion passed 7-0. Ridgeway stated that these appropriations have been re-advertised for the December 1st meeting, so they can be re-visited. The State Board of Accounts is working on this issue as a team to solve the problem.

**GENERAL FUND
Commissioners**

Personal Services – Sheriff’s Pension Fund \$ 6,929.00 \$ 6,929.00 7 0
 October 2008 228 Claims @ \$13.00-Superior Court – 142 Claims @ \$13.00-Circuit Court – Clerk’s Report– Secretary’s Report
 Eppley made a motion to approve. Ridenour seconded; motion passed 7-0.

GENERAL FUND

Other Services & Charges – Inmate Medical \$ 31,091.56 \$ 0.00 7 0
 Leroy Striker, Wabash County Sheriff requests funds to pay for Inmate Medical bill.
 Ridenour motioned to deny the request. Markstahler seconded; motion passed 7-0.

RAINY DAY FUND

Personal Services – Employee Retirement \$ 998.73 \$ 998.73 7 0
 F. Wertenberger – Additional Vacation Pay-Out
 Commissioners request funds to pay additional leave benefits for F. Wertenberger at Retirement 6-30-08 (70 hours vacation @ \$14.26 per hour = \$ 998.75).
 Markstahler motioned to approve. Ridenour seconded; motion passed 7-0.

Ridenour began a discussion regarding whether the Stabilization Funds could be used to assist in covering the anticipated expenses with the DFCS. Ridgeway states she will ask the DLGF if the LOIT Stabilization funds can be used to help reduce the amount that would need to be borrowed.

Sandy Beeks, E-911 Coordinator reported that the State Board of Accounts is requesting that the land line and wireless need to be separated. Following discussion Little made a motion to establish E-911 budget funded specifically by wireless. Ridenour seconded; motion passed 7-0.

Fuller began the discussion on the Sheriff’s Compensation Agreement. Eppley motioned that the Sheriff’s Salary for 2009 be \$80,000.00 to begin the discussion. Nose seconded the motion. Little states that everyone wants to be fair to the County taxpayers and to the Sheriff. Little stated that the State has made changes and Striker is caught in the middle and that he has done an excellent job in part because he ran a business. Little suggested agreeing

on a fair and equitable performance package. Little asked Steve Downs, Commissioner's Attorney to clarify the statute. Downs stated that any performance compensation based on the profitability of the meal program would not be in line with the statute. The statute states that the Sheriff can no longer profit from the meals. Downs also clarified that the statute has been on the books for some time, but the State Board of Accounts is now enforcing it. Downs stated that if the County enters into a contract with the Sheriff, the compensation should be at least 60% of the Prosecuting Attorney Salary and can not be more than the Prosecuting Attorney Salary. Striker said he understood the State Board of Accounts view, but felt that the state's announcement was a warning meant to put the counties on notice. Fuller stated that the Council has talked about the compensation and that he wished it had never come up. Fuller stated that he can't in good conscience support anything that drastically reduces the Sheriff's wages. Nose stated that he feels it is his responsibility to set what he feels is fair compensation for the office of sheriff. Nose stated that he was on the Council when the contract first came up several years ago. Nose stated that he doesn't feel responsible for what he has to vote for. Nose stated that the law has been there since 1993, they are just enforcing it now. After a lengthy discussion the vote was called for. Motion passed 4-3. Eppley, Markstahler, Nose and Kaltenmark voted in favor of the \$80,000.00 + tax warrants salary. Fuller, Ridenour and Little cast the dissenting votes.

Eppley recommends that the LOIT rate should be addressed at a hearing. Fuller stated that it could be addressed at the December 1st meeting. Ridgeway states it will need to be advertised as a hearing.

Fuller then resumed the 2009 Budget Hearing. Little states that the \$109,500.00 in Commissioners Budget for Wards of Institutions that was cut previously needs to be added back in. Fuller questioned whether it was needed. Eppley and Little stated that it should be. Little stated that \$40,000.00 has been saved by the Sheriff's Compensation decision earlier in the meeting. The Sheriff's Performance Line item should be removed. The Health Department is requesting the deputy administrative coordinator increased to deputy pay. Consensus is to increase the pay to \$24,003.00 with \$3,389.00 coming out of the Tobacco fund. Eppley made a motion to approve the 2009 proposed budget with the above changes as the First Reading. Kaltenmark seconded; motion passed 6-1 with Fuller opposing. In response to a question it was the consensus of the Council that the 2009 wages should begin January 1, 2009.

Ridgeway raised the following items:

1. An appointment needs to be made to the Alcohol Beverage Commission by January 1st.
2. 2009 meeting dates need to be set. Ridenour suggested that the Council should consider the meetings be moved to the evenings so the

public has an opportunity to attend. Following discussion, it was decided that the 2009 Re-Organizational Meeting will be held on January 26, 2009 at 5:00 p.m.

3. The 2009 Holiday Schedule adopted by the Commissioners was given to Council Members.

The next meeting will be held Monday, December 1, 2008 in the Commissioner's Meeting Room at the Wabash County Courthouse at 8:00 A.M.

No other business, Ridenour made a motion to adjourn, seconded by Eppley and the meeting closed with a 7-0 vote.

** Approved as written – on December 1, 2008.*