

COMMISSIONER MEETING

Monday, September 18, 2017

Meeting called to at 6:00 p.m. with Pledge to the Flag. Present: Bryan Lewis, Rick Ranstead, Steve Metzger, Attorney Greg Heller and Auditor Christina Sriver.

HIGHWAY – John Geier updated on the current department activities. He received the contract for 2018 with Morton Salt for \$51.39/ton (delivered); max 504 tons, minimum 336 tons. \$56.18 was last year's cost. He is working with USI to figure out how to help smooth out the bridge approach on Old 31. Lucas Street came in \$125,000 under bid amount. The Recycling Center would like to purchase materials and have the Highway department provide labor to do some paving. Also, Aubbeenaubbee Township Fire Department would like to purchase materials and have the Highway Department provide labor for paving their parking lot. Commissioners approve both pending their respective board's approval. John discussed purchasing a power washer; commissioners approve of John taking this request to Council for approval. John has been working with Gail (E-911) for help on purchasing radios. Gail is also reviewing the current MOU with Motorola during this time. Discussion on whether or not uniforms should be mandatory for the Highway Department ensued.

ADA – The handicap signage has been installed at the Annex building. John has been doing the continuing education online for ADA.

SHERIFF – Chris reviewed current jail population stats. The automated cash book is in use and currently payments will be taken from 8 a.m. to 5 p.m. A second handgun class will be offered in October. Larry Hoover (EMA) is working on getting a grant for the mobile units to handle Spillman in the police vehicles. The jail inspection was completed last week; commissioners should be receiving the letter soon. He anticipates a letter of noncompliance due to overcrowding. The two full-time and one part-timer positions have been filled. He is requesting the 8% pay reduction for probation be waived due to having been a reserve officer and having training with the previous Animal Control officer. Rick motioned to approve the waiver, Steve seconded; passed 3-0. Commissioners also gave approval to get quotes for three vehicles.

RECONVENE PUBLIC HEARING VACATING A PUBLIC ROADWAY – Rick motioned to read the ordinance by title only, Steve seconded; passed 3-0. Bryan read the ordinance by title only. Tim Ousley stated that the vacated area would not be blocked to emergency personnel. Steve motioned to approve the ordinance, Rick seconded; passed 3-0. Rick motioned to adjourn the public meeting, Steve seconded; passed 3-0.

E-911/COMMUNICATIONS – Council would like to lease the Spillman Contract and include the mobile units in the lease. Kick-off for the new software will be on October 4, 5 and 6th. Progress will be seen in the next 30-45 days as Gail has been working with Motorola to finish with the radio installation. She is working with EMS to be an accredited center. A former full-time employee will be a reserve dispatcher. She has an employee who is looking for employment elsewhere and she asks Commissioners for permission to hire a part-time employee to start training; approved.

FEDCO – Terry Lee requests an appropriation for \$10,000 from CEDIT as an incentive for a new business in Rochester in the old Baily’s building; it has been approved by the FEDCO board. Terry discussed the need for the funds to encourage local business. Bryan stated that the funds are not available to appropriate. Bryan stated that they are in favor of the reason behind the request. Rick motioned to deny the appropriation request due to lack of funds, Steve seconded; passed 3-0.

TAX SALE – A Resolution Establishing Intent to Conduct a Commissioner’s Sale was presented for approval. Bryan read the resolution aloud.

RESOLUTION 09182017

A RESOLUTION ESTABLISHING THE INTENT TO CONDUCT A COMMISSIONERS’ SALE TO SELL TAX SALE CERTIFICATES FOR PROEPRITIES THAT ARE SEVERELY DELINQUENT IN PAYMENT OF PROEPRTY TAXES.

WHEREAS, there are several properties in Fulton County that are severely delinquent in the payment of property taxes, having been offered for tax sales and which received no bids equal to or in excess of minimum sale price. The parcel numbers of those properties being attached to this resolution as “Exhibit A”, and

WHEREAS, there is an assessed value associated with these properties for taxation purposes, but no taxes are being collected, therefore causing a lower than expected tax distribution to those taxing units and taxing districts within which the properties are located, and

WHEREAS, the Fulton County Commissioners desire to have these properties back on the tax rolls with taxes being collected, and

WHEREAS, IC 6-1.1-24-6, *et seq.* allows for the Fulton County Commissioners to acquire a lien on those delinquent properties and receive issuance of the tax sale certificates for those properties, without taking title to the properties, therefore limiting the liability and the cost normally associated with taking title,

NOW, THEREFORE, BE IT RESOLVED by the Fulton County Board of Commissioners that the County Executive shall acquire liens and receive tax sale certificates of the properties listed on Exhibit A that are severely delinquent and sell said certificates at a properly advertised Commissioner Tax Certificate sale.

PASSED AND ADIPTED by the Fulton County Board of Commissioners this 18th day of September, 2017.

Steve motioned to approve, Rick seconded; passed 3-0.

MINUTES – Steve motioned to approve minutes from Commissioner’s Meeting on September 5th 2017, Rick seconded; passed 3-0.

CLAIMS – Approved as presented.

9/15/17	Payroll	\$183,333.32
9/18/17	Misc. Claims	\$10,205.48
9/18/17	Regular claims	\$221,063.48
9/7/17	LIT Distributions	\$482,199.92
9/6/17	Credit Card	\$7,049.61

TRANSFERS – Approved as presented.

Department	Fund	From Account	To Account	Amount
Circuit Court	County General	Maintenance Equip	Mental Evaluations	\$1,000
Court-ordered 2 mental evaluations for the same defendant to declare or dismiss competency to stand trial.				
		Per Diem Bailiff		\$100.00
		Per Diem Ct. Reporter		\$100.00
Superior Court	County General	Per Diem Judge	Witness Fees \$500	\$300.00
Funds to pay interpreter				

ADDITIONAL APPROPRIATIONS – Approved as presented.

Department	Fund	For	Amount
	Motor Vehicle		
Highway	Highway	Bituminous	\$38,925
County portion for paving Park Street to State Road 14 and 13 th Street to State Road 14 (partnering with Rochester City); and striping Olson Road.			

OLD BUSINESS – Bryan discussed purchasing real property for relocating the Health Department; he will take the idea to Council tomorrow for approval. Greg has reviewed the contracts with Umbaugh and Barnes and Thornburg to do with the proposed wind farm. Greg's recommendation is to approve the contracts so Umbaugh can begin the financial impact report. Rick motioned to approve the contract with Umbaugh, Steve seconded; passed 3-0.

Bryan opened the meeting to public comment concerning the wind farm. Questions and comments received from the audience included:

1. Rhonda Smith: Why approve the money for contracts (with Umbaugh and Barnes & Thornburg) if the project is not wanted? A: Information is being collected to make an informed decision.
2. Mike Smith: Has anyone seen the plan for the turbines? A: The project hasn't reached that process yet. The next meeting with the Plan Commission will be looking to approve the amendment to the zoning ordinance and then the amendments will be brought to the commissioners to approve, amend or deny. The ordinance already allows for wind farms, the amendments considered are designed to address public concern. If the amendments are approved there would have to be at least an economic plan agreement with commissioners and

council, a decommissioning plan, a drainage plan and a road use and improvement plan with Highway department and Commissioners.

3. Rhonda Smith: Do land owners have any say in where the turbines are put? A: The County is not imposing Eminent Domain; it is up to the individual land owners to approve.
4. A member of the audience brought a list of landowners in the area proposed for turbines. Commissioners stated that they would like to talk to the land owners in the area.
5. General health issues were a topic of discussion.
6. Kenny Reed: Will the tax benefits received remain within the two townships that the turbines will be in? A: That is for the economic report to reveal. It would be something to discuss but hopefully the money will be spread throughout the county.
7. Russell Phillips discussed that it is possible the farmer that Bryan spoke to is under a gag order and could not state anything negative. He went on to question why the amendment calls for a setback of one-half mile of the Tippecanoe River and questioned why it was greater than any other setback. He questioned how many readings the amendment to the zoning ordinance the Commissioners would have. A: Only one reading is required.
8. Russell Phillips stated it would be most unwise to take action at the meeting when the amendment is presented so the public has more opportunity to weigh in on it. Greg Heller reiterated that the current zoning ordinance has fewer restrictions than the amendments are proposing. Greg continued that Commissioners have ninety days to take action on the amendments.
9. Steve Brown: is it 40% of acres or landowners that would have to petition? A: It is based on land area, acres.
10. Are they currently looking for owners to sign contracts? A: Yes
11. Have any been signed and recorded? A: There have been some signed but Commissioners do not know if they have been recorded.
12. Why isn't there a layout (for the turbines) if people are signing contracts? A: Until land owners have signed up it is hard for (RES) to have a plan. They may have an idea of where they want them.
13. Why did they pick a foreign company? A: We did not pick a company, they approached the county. The wind farm has to have bonds to decommission the towers in case of bankruptcy.
14. Russell Phillips stated that the ordinances would have allowed for wind farms over the last eight years, why hasn't that happened over the last eight years? A: They have made large strides in technology since the ordinance has been in place and the towers proposed are taller so they catch more air.
15. Russell Phillips stated that members of the Benton County Commissioners and BZA visited a wind farm and decided not to move forward with a wind farm for their county. He wants commissioners to realize that this decision affects all members of the county.
16. Russell Phillips questioned when the Executive meeting with RES took place? A: August 15th.
17. Russell Phillips: Was there a meeting with Cass and Miami County's to discuss the wind farms? A: The commissioners have attended separate meetings, as well as council. The land owners not interested in leasing land encourage commissioners and council to become more educated.
18. Russell Phillips: Has RES had to file an application with the county government? A: No, there has not been any application process yet, eventually they will need a location improvement permit. Commissioners have not had any public meetings yet because they are still gathering facts. They signed the contract with Umbaugh to get factual numbers for Fulton County.
19. Is it the same company that is involved with all the other counties that you are investigating, is it RES? A: No, it is the same lawyer firm that has dealt with all the other counties but one.

20. Russ: What positive effects could there be other than money? A: None, but that revenue would benefit the county.
21. Rhonda Smith: What is the fire hazard due to lightning? That could wipe out all the crops. She stated that fire detection and control should be in the bylaws.
22. Did RES make an official presentation of what they expect the benefits to be? A: Only in the executive session.
23. Will Umbaugh be negotiating with RES in order to advise the economic impact study? A: Yes, they would be consulting with RES.
24. Is the economic impact statement available to the public? Commissioners intent to have Umbaugh present the impact statement in a public meeting; meetings are part of the contract.
25. Will they be building new towers to transmit the power out? There will be new towers built.
26. Can the county use Eminent Domain to put up utility lines? No, that would be a utility easement and there are different types of utility easements. Greg will not discuss the utility regulation questions due to not having full information.

Bryan will request that Casi (Area Plan Commission) will post information on the county website (concerning the amendments to the wind ordinance).

In other old business, Jackson's will be setting up barricades this weekend to start the opera house demolition in Akron; demo is scheduled to start on September 25th.

NEW BUSINESS – None.

RECESS – Rick motioned to recess at 8:15, Steve seconded; passed 3-0.