

FULTON COUNTY BOARD OF COMMISSIONERS
Monday, September 26, 2022

Meeting Called to Order at 6:00 p.m. with Pledge to the Flag. Present: Bryan Lewis, Rick Ranstead, David Sommers, County Attorney Holli Shorter-Pifer. and Auditor Christina Sriver.

PUBLIC HEARING: ORDINANCE ESTABLISHING AN INFRASTRUCTURE

DEVELOPMENT ZONE – Lauren Adley of Peterson, Waggoner and Perkins presented an Ordinance Establishing an Infrastructure Development Zone. If the Commissioners approve the infrastructure zone any facilities and technologies used in the development and transmission of broadband service by RTC located in the zone are exempt from property tax. The goal of the project is to provide internet to every house in the county. Commissioner Lewis read the proposed ordinance aloud:

ORDINANCE NO: 09262022

**AN ORDINANCE ESTABLISHING AN INFRASTRUCTURE
DEVELOPMENT ZONE IN FULTON COUNTY**

WHEREAS, pursuant to I.C. 6-1.1-12.5-4, the Board of Commissioners of Fulton County desire to designate the unincorporated areas of Fulton County as an infrastructure development zone for the reason that adequate eligible broadband facilities and technologies used in the deployment and transmission of broadband service are not presently available in those areas; and

WHEREAS, I.C. 6-1.1-12.5-4 authorizes the County Executive to adopt an ordinance designating a geographic territory as an infrastructure development zone after:

- (1) Conducting a public hearing on the proposed ordinance;
- (2) Publishing notice of the public hearing in the manner prescribed by I.C. 5-3-1; and
- (3) Making the following findings:
 - a. Adequate eligible infrastructure is not available in the zone.
 - b. Providing a property tax exemption to a person for investing in eligible infrastructure in the zone will provide:
 - i. Increased availability of broadband service or advanced services, and
 - ii. Economic development benefits; in the zone.

WHEREAS, pursuant to I.C. 6-1.1-12.5-5, if an infrastructure development zone is established, facilities and technologies used in the deployment and transmission of broadband service, however defined or classified by the Federal Communications Commission, or advanced services (as defined in 47 CFR 51.5) by a provider of broadband service or advanced services, located in the zone are exempt from property taxation; and

WHEREAS, on September 15, 2022, a public notice of public hearing was published in the Rochester Sentinel for a public hearing held by the Board of Commissioners of Fulton



County on September 26, 2022. Testimony was received by the County Commissioners before the Board took final action.

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of Fulton County, as follows:

Section 1: Establishment of an Infrastructure Development Zone. Pursuant to I.C. 6-1.1-12.5, following a public hearing and published notice as prescribed by I.C. 5-3-1, the Board of Commissioners of Fulton County hereby find as follows:

- (A) Adequate facilities and technologies used in the development and transmission of broadband service and/or advanced services are not available in all areas of Fulton County; and
- (B) Providing an exemption from personal property taxes to Rochester Telephone Company, Inc. for investing in facilities and technologies used in the deployment and transmission of broadband service and/or advanced services will provide opportunities for increased availability of broadband service and/or advance service; and
- (C) Providing an exception from personal property taxes to Rochester Telephone Company, Inc. for investing in facilities and technologies used in the development and transmission of broadband service and/or advanced services will provide economic development benefits; and
- (D) The designated Infrastructure Development Zone shall include all of the unincorporated rural areas of Fulton County, Indiana; and
- (E) All facilities and technologies installed after January 1, 2022, used in the deployment and transmission of broadband services, however defined or classified by the Federal Communications Commission, or advanced services (as defined in 47 CFR 51.5) by Rochester Telephone Company, Inc. located in the zone are exempt from personal property taxation.

Section 2: Effective Date. This Ordinance shall be in full force and effect after its passage by the Board of Commissioners of Fulton County, Indiana, and following publication as provided by I.C. 5-3-1.

Commissioner Ranstead motioned to approve, Commissioner Sommers seconded; carries 3-0.

HIGHWAY – John Geier presented permit 22-30 requesting running wire under 1100 W. Commissioner Ranstead motioned to approve, Commissioner Sommers seconded; carries 3-0. Permit 22-31 requests a road bore to install gas lines. Commissioner Sommers motioned to approve, Commissioner Ranstead seconded; carries 3-0. Permit 22-32 requests two road bores on 325 W. Commissioner Ranstead motioned to approve, Commissioner Sommers seconded; carries 3-0. John updated on department activities including chip sealing, pugging and the third and final mowing. A new tandem has been delivered and will have the plows installed next week. John has been looking for a brush cutter for several months. He has a quote for approximately \$151,000.

SHERIFF – Sheriff Sailors reviewed the monthly reports. The detour for the bridge work being done on SR 25 had some vehicular near-misses today, there will be additional patrolling in the area. He has secured an additional storage unit for items that are still at the old jail. He will be attending a meeting regarding mental health on Wednesday. The jail inspection will be on Thursday morning at 9:00 a.m. The courts would like to move forward with the baggage scanner. Prosecutor Marrs has requested the Sheriff to get quotes. He will deliver costs and a plan for funds being used in the October evening meeting.

COMMUNICATIONS/EMA – The tower has had equipment installed and the project is coming along. The County Attorney’s opinion of the tower contractor is to contact the Attorney General as there have been five or six counties that have had issues. The County Attorney would like to contact the other counties to see what their plan of action is. Gail will be having quarterly meetings next week for EMS, EMA, and LEPC. She attended a damage assessment class. Gail would like to keep a list of EMA equipment at the Auditor’s office for other counties to check out borrowed equipment.

ROCHESTER DOWNTOWN PARTNERSHIP – RDP requests to use the parking lot and the north side courthouse steps on Friday, October 28th. Commissioners approve.

COMMISSIONER’S CERTIFICATE SALE RESOLUTION –

A RESOLUTION ESTABLISHING THE INTENT TO CONDUCT A COMMISSIONERS' SALE TO SELL TAX SALE CERTIFICATES FOR PROPERTIES THAT ARE SEVERELY DELINQUENT IN PAYMENT OF PROPERTY 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 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.

Commissioner Ranstead motioned to approve, Commissioner Sommers seconded; carries 3-0.

MINUTES – Commissioner Ranstead motioned to approve the September 6th meeting minutes, Commissioner Sommers seconded; carries 3-0.

CLAIMS- Approved as presented

Tax Sale Surplus Checks to the Treasurer	\$	4,848.53
Transpo	\$	142,154.00
Payroll 9/9/22	\$	237,361.30
Payroll Deductions 9/9/22	\$	86,325.19
September 26 Misc. Claims	\$	619,137.10
Insurance Claim Disbursements for 6/2-9/7	\$	240,015.65
Insurance Claim May-August Fees for Dental	\$	14,681.80

Insurance Claim Insurance Fees June-September \$ 137,541.02

TRANSFERS – Approved as presented

Department	Fund	From Account	To Account	Amount
Auditor	County General	Continuing Ed	Memberships & Subscriptions	\$550
American Payroll Association membership				
Communications	LIT PSAP	Dispatcher	Overtime	\$5,000
To pay OT				
Commissioners	County General	Consult Fee	Contract	\$6,500
Needed to cover DLZ contract				
Highway Department	Motor Vehicle Highway	Ground Maintenance	Other Charges	\$2,640
Transfer of funds in order to cover the expenses for brush cutting Old 31 N				
Treasurer	County General	Legal fees/expenses	Shredding Services	\$200
Budget Shortfall – extra shredding				
		Administrator-\$12,683.52		
		Assistant Admin.-		
		\$10,817.28		
		OASDI-\$1,545.12		
		Health Ins.-\$6,949.46		
		HSA-\$1,666.72		
		Life Ins.-\$26.46		
		Dental Ins.-\$70		
Prosecutor	County General	PERF-\$2,632.08	Equipment	\$36,390.64
To use savings to accomplish several important well-defined projects and upgrades, at a minimal cost to the County.				

ADDITIONAL APPROPRIATIONS- Approved as presented

Department	Fund	For	Amount
Auditor	County General	Financial & Taxing Annual	\$10,000
Short funds to make fall payment of taxing software and SBS Portal			
Sheriff	County General	Vehicles	\$16,248
Request appropriation of the funds received from the insurance company due to a vehicle being totaled as a result of striking a deer. These funds will be used to partially fund the purchase of another vehicle.			
		Secretary-\$1,370	
		Health Insurance-\$874	
		Life Insurance-\$4	
Soil and Water	County General	Dental Insurance-\$47	\$2,295
To cover payroll and benefits for remainder of year.			

OLD BUSINESS – A resolution was presented based on the August 15th meeting:

RESOLUTION: 09262022-A
RESOLUTION OF THE BOARD OF COMMISSIONERS
OF FULTON COUNTY, INDIANA, TO AMEND THE VACATION POLICY
OF THE FULTON COUNTY PERSONNEL POLICY

WHEREAS, the Board of Commissioners ("Board") of Fulton County ("County") have established a vacation policy within the Fulton County Personnel Polity; and

WHEREAS, no more than five (5) vacation days beyond the employees twelve (12) month allotted vacation time may be carried over into the next anniversary year; and

WHEREAS, the Board has determined that employees are losing vacation time with no benefit realized at the time of anniversary date of hire.

THEREFORE, the Board hereby authorizes employees to be compensated on the following payroll for any unused vacation days that would otherwise expire in excess of five (5).

This Resolution is effective as of August 15th, 2022.

Dated this 6th day of September, 2022.


Commissioner Ranstead motioned to approve, Commissioner Sommers seconded; carries 3-0.


NEW BUSINESS – There was \$9,016 received from the sale of Sheriff vehicles at auction. He will be requesting to appropriate the funds for the purchase of a truck. Gail Karas reported that Lutheran EMS is requesting things of the dispatchers that she was made aware of by an employee; she had not discussed with Lutheran.

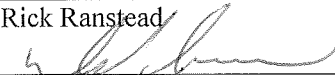
The Times Theater reported that RTC had been very helpful. A concession stand has been built, insulation has been installed, the walls in the auditorium are all black, video and audio equipment have been ordered, the marquis is being painted. There is a delay on the digital screen. The carpet is in. They are within two months of opening. A mural was started today.


RECESS – Commissioner Sommers motioned to recess at 7:17 p.m., seconded by Commissioner Ranstead; carries 3-0.

FULTON COUNTY BOARD OF
COMMISSIONERS

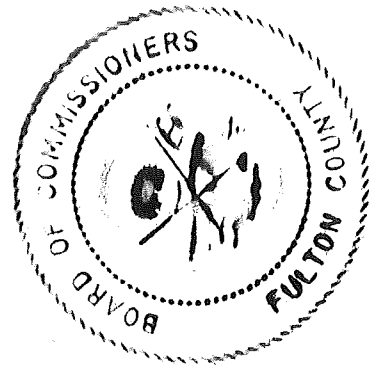

Bryan Lewis


Rick Ranstead


David Sommers


Christina Sriver

Attest: Christina Sriver, County Auditor



I affirm under penalties of perjury, that I have taken reasonable care to redact each social security number in this document, unless required by law: Christina Sriver

Prepared by: Christina Sriver