Owen County Council
Minutes-April 10, 2023

Meeting was called to order by President Polly Chesser with Opening Prayer and Pledge of Allegiance. Members Present: Polly Chesser, Verl Keith, Anton Neff, Amy Casebeer, Nick Robertson, Steve Carrell, and Andy Wood. Also present was auditor Sheila Reeves. Public sign in sheet attached for permanent record.
A motion to approve the minutes with the correction of Casebeer listed twice and spelling of Carrell was made by Wood; seconded by Neff. Carried 7-0.
A copy of the LOW monthly financial report was provided for review.
Old Business
Time Management-Payroll discussion was postponed to further explore other options/companies.
Alcohol Beverage Board appointment. Advertisements for persons interested were made with no responses received. Anthony Leaderbrand was present and offered to serve on the board. A motion to appoint Mr. Leaderbrand was made by Robertson; seconded by Wood. Carried 7-0. They will verify appointment with state.
Records Request Fee Schedule for Access to Public Records Ordinance 2023-004 was presented and read by attorney Dana Kerr for fees to be collected for copies. A motion to adopt was made by Neff; seconded by Wood. Carried 7-0.

Public Hearing was opened by Chesser at 6:15pm to hear the following Additional Appropriation Requests as presented: General Fund 1000-Cash to Auditor 1000-02-11300 $35000.00, Riverboat Fund Cash to Other Services $5319.00, General Fund Cash to Court Interpreter $300.00, General Fund Cash to Court Other Services $6600.00 all were approved with a motion made by Wood; seconded by Casebeer. Carried 7-0. The hearing was closed at 6:19pm.

New Business
Assessor Dusty White presented a copy of the Eagle View Contract and gave a brief overview of the services it will provide. No action was necessary as funding had already been included in the 2023 budget.
Additional Appropriations-New Requests were presented for the following:
Ginger Kohr-Library Board for $120,000.00 from there interested earned in their LIRF Fund with a current cash balance of $395062 to continue work on the community shelter house. A motion to approve was made by Neff; seconded by Wood. Motion carried 7-0.
Original request was from the Sheriff-PSAP Fund however after discussion it was decided to use Riverboat Fund#1191 for the appropriation with a motion made by Neff; seconded by Robertson. Carried 7-0.
Suzanne Simmerman presented a request for $7063.61 from the Building Fund#4908 to pay for a WTH-GIS Program that will offer immediate mapping services in any kind of emergency and/or other county events.
A motion to approve was made by Robertson; seconded by Neff. Motion carried 7-0.
A request to approve pay for employee payout and position changes in the amount of $5268.23 was from the Riverboat 1191 was approved with a motion from Robertson; seconded by Casebeer. Carried 7-0.
Court Reform Grant for $1375 and Court Interpreter $760.15 was approved with a motion made by Wood; seconded by Neff. Carried 7-0.

Tax Abatements were presented by Marce King with the Spencer Owen Economic Development and Abatement Review Committee for Hoosier Energy, Mader Mill, and Owen Valley Winery. Hoosier Energy was compliant with a 5-0 score and approved with a motion made by Neff; seconded by Wood. Carried 7-0.
Mader Mill had not submitted their paperwork for council consideration, however King reviewed what they had received and even though they have met and exceeded their capital investment and for tax abatement there is a substantial non-compliance (3years) on the key component of employment and recommended that the county seek legal advice. Members were concerned with the situation and asked Attorney Kerr who was

present for his advice. He related that he is the attorney for the commissioners and if they would allow him to look at it he would be willing to do so. Robertson made a motion due to non-compliance only give a 50% abatement. No second was taken; he withdrew his motion.
A motion was made by Keith, seconded by Casebeer to nullify if legal with review of state statutes and options. Motion carried 5-2/Neff-Robertson. Wood and Neff would like to have Mader Mill Representatives present and further legal review. It will be reviewed at the next meeting.
Owen Valley Winery Application had been submitted to the Committee for their review and recommendation. Following the scoring process they felt it did not score high enough to merit a recommendation. Members discussed their concern and feel that it should be further reviewed. It was noted that the abatement deadline date is May 15th. It was further agreed with forming a committee to work with an attorney to review policy and point system that the EDC uses. A motion made by Neff, seconded by Chesser was made to appoint three members using the criteria they have at this moment. Carried 5-2/Carrell-Robertson. The committee is Chesser, Carrell, and Neff.

Chamber of Commerce and EDC Marce King gave a summary of the adoption of the County's new Comprehensive Plan and the next step is to move forward with updating the County's Subdivision Control Ordinance as it is twenty years old. (Unified Development Ordinance)She introduced Deborah Luzier with GRW Engineering and KK Fritz that would be overseeing the project if approved. The Redevelopment Commission has motioned to approve $43000 towards the cost of the project and EDC is requesting the remaining amount of $45750 from the Council to fund the total cost of $88750. Discussion and concern with the overall goals was made and the recent out pour from the community during the comprehensive plan meetings. Kerr summarized the current ordinance and challenges currently facing the county as state statutes are different than ordinances. A motion to proceed with the project using LIT Funds-$45750 was made by Neff; seconded by Casebeer. Motion failed with a 3-4/Robertson, Keith, Carrell, and Wood.

Toshiba Contract was scratched from the agenda as the Prosecutors Office is using its own incentive fund.

Holiday Pay-911 Director Kathleen Lamb requested members to consider changing the policy for holiday pay to biweekly payroll claims to better manage the payroll process instead of the ninety-day cycle being used. A motion to change to bi-weekly holiday pay was made by Wood; seconded by Neff. Carried 7-0. An updated Policy will be made to reflect the changes.

A motion to allow Chesser to sign the Salary Ordinance Confirmations was made by Wood; seconded by Neff. Carried 7-0.

Elected Officials-
A motion to add the Coroner and Health Dept. to the agenda for appropriation requests was made by Wood; seconded by Neff. Carried 7-0.
Coroner Shelby Hershberger presented a request for funds to replace a seventeen-year-old vehicle. Commissioner Burton related that APRA Funds could be used or the opioid funds. The vehicle was available immediately therefore a motion to use funds in Council-Other Services Line Item in the amount of $46,406.25 was made by Neff; seconded by Wood. Carried 7-0. She will still have to go to the Commissioners Meeting for approved confirmation.

Sheriff Ryan White related that he had learned that the jail matron position has not been getting paid properly. He stated IC 36-8-10-5 and had talked with State Legal. Neff related that all of the positions had been vetted with consultants years ago and they were aware of this code. Thus, due to tonight's discussions and concern

for legal representation a motion was made Neff, seconded by Wood to have Chesser seek legal counsel to address this and other agenda related items. Carried 7-0.

Kathleen Lamb related she had a unique situation regarding an employee and no maternity leave policy. Comp time policies and caps hinder her from exceeding the allowed number of hours and she fears she will lose the employee. She's asking for an exception to policy. Wood made a motion to take under advisement to research options; seconded by Robertson. Carried 7-0.

Keith asked how much the County Attorney was getting paid. Reeves related $13333.33/month.

Health Dept.-Allan McBride presented an additional appropriation request for a mobile public health outreach vehicle in the amount of $55000 to be paid from fund#4911. A motion to approve advertising was made by Robertson; seconded by Wood. Carried 7-0.

No additional comments were made.
A motion to adjourn was made by Chesser.