

## WELLS COUNTY COUNCIL

### REGULAR SESSION April 4, 2023

The Wells County Council met in regular session on Tuesday April 4, 2023, at 7:00PM in the Wells County Carnegie Annex Building, 223 W Washington St., Bluffton, IN. Physically present at the meeting were Council members, Vicki Andrews, Steve Huggins, Todd Mahnensmith, Scott Elzey, Brandon Harnish, Brian Lambert, and County Auditor Lisa McCormick. Council President Seth Whicker participated in the meeting by electronic means of communication, Zoom, which allowed the public to simultaneously attend and observe the meeting. All votes taken during the meeting were taken by roll call vote.

**Minutes:** A motion was made by Scott Elzey, seconded by Brian Lamber to approve the minutes from the March 7, 2023, regular session. Motion carried 6-0-1, with Todd Mahnensmith abstaining by roll call vote.

**Transfers:** A motion was made by Steve Huggins, seconded by Todd Mahnensmith to approve the Transfer request in the CASA Grant. Motion carried 7-0 by roll call vote.

**Additional Appropriations:** A motion was made by Todd Mahnensmith, seconded by Brian Lambert to approve the Additional Appropriation request in the General fund for the Sheriff's budget. Motion carried 7-0 by roll call vote.

**Wells County Sheriff:** Sheriff Holliday reported current jail stats: 62 inmates; 18 pretrial Superior, 23 pretrial Circuit, 14 F6 DOC and 4 DOC. Monthly reports were also presented.

**Bridge 19 Local Match Interlocal Agreement:** Nate Rumschlag presented an interlocal matching funds agreement with Adams County regarding Bridge 19 replacement for Council review. This agreement will require Wells and Adams County Commissioner approval as well as Wells and Adams County Council approval prior to execution. The grant will cover 75% of the total cost of the project, which is \$395,438.83. The 25% match would be split between Adams County, \$65,906.47, and Wells County, \$65,906.48. The project and administration will be administered by Wells County. A motion was made by Brandon Harnish, seconded by Scott Elzey to approve the Interlocal Government Agreement with Adams County (Misc. 2023-04) for Bridge 19 and allow acting President Vicki Andrews to sign the agreement. Motion carried 7-0 by roll call vote.

**PTABOA Ordinance:** Council member Brandon Harnish presented an Ordinance that restated the constitution of the Wells County Property Tax Assessment Board of Appeals and the Well County Council procedures. This Ordinance would continue to maintain a three person PTABOA board. One of the three board members are appointed by Wells County Council. IC Code 6-1.1-28-1 speaks on the matters of a PTABOA appointment but is silent on matters of removal. This Ordinance states that County Council, the appointing authority over one PTAOA board member, may remove a member of the PTABOA board without cause. The board member against whom removal action is sought shall have notice of removal action at least seven days prior to the meeting where the matter will be heard. The member would have the opportunity to be heard by Council prior to the removal action at a public meeting. The removal action would be considered passed if the removal motion receives a majority vote. Council member Scott Elzey thought the document should be reviewed and/or created by the County Attorney Ted Storer. The document was tabled until the County Attorney reviews the document.

**PTABOA Code of Conduct:** Council member Brandon Harnish presented a PTABOA code of conduct document for Council review. The document outlines the responsibilities of the PTABOA board. The PTABOA board is governed by state statute. Scott Elzey felt that most of the verbiage in the Code of Conduct followed that statute. Harnish stated that this document will help the PTABOA board understand their expectations. Harnish feels that the current seating arrangement, during an appeal, implies equal authority between the Assessor representative and the PTABOA board. He suggested that the assessor representative and the taxpayer, appealing their assessment, should be seated as if in a court of law, both presenting at tables in front of the PTABOA board. Assessor Laura Roberts spoke about using “should be provided” instead of “shall provide and must be provided” for some of the verbiage. Roberts stated that there are always exceptions in the appeals process. The items that Elzey was concerned with, because all the other points are covered with the State Code, were the seating reference and the distribution of reports to the County Council. The Commissioners receive reporting from the County Assessor but not County Council. Council member Scott Elzey would like the Code of Conduct document prepared by the County Attorney Ted Storer. Council President Seth Whicker stated that he would work with the County Attorney regarding the Code of Conduct and PTABOA Ordinance that were presented. PTABOA Code of Conduct was tabled until further review by the County Attorney.

A Zoom malfunction occurred, Council President Seth Whicker could not be seen, which invalidated his vote for the remainder of the meeting.

**First Amendment to the Interlocal Agreement for Emergency Communications:** An amendment to the Interlocal Agreement for Emergency Communications was presented to Council for approval. The amendment in the document strikes section 12 in the original document to state “the County shall be responsible to the City for fifty percent of the expenses for operation of the Dispatch Center and the City shall be responsible for fifty percent of the expenses for operation of the Dispatch center. The City shall invoice the County four times a year for the County’s contribution for the Dispatch Center’s expenses incurred during the quarter for which the invoice is applicable”. A motion was made by Brandon Harnish, seconded by Brian Lambert to approve the first amendment to the interlocal agreement for emergency communications (Misc. 2023-05) and allow acting President Vicki Andrews to sign the agreement. Motion carried 6-0 by roll call vote.

**Adjourned:** 7:42PM, the motion was made by Brandon Harnish, seconded by Steve Huggins to adjourn. Motion carried 6-0 by roll call vote.

WELLS COUNTY COUNCIL

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President, Seth Whicker

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Vice President, Vicki Andrews

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Attest: Lisa McCormick, Wells County Auditor