

**FRANKLIN COUNTY COUNCIL MEMORANDUM & MINUTES**  
**OCTOBER 12, 2010 @ 8:00 P.M.**  
**FRANKLIN COUNTY GOVERNMENT CENTER**  
**COMMISSIONERS/COUNCIL PUBLIC MEETING ROOM 203**

Those Present:	County Council:	Hollie Maxie	Jeff Koch	Kenneth Rosenberger	Carroll Lanning
		Brad Spurlock	Tom Linkel	Jason Allen	
	County Auditor:	Susan A Jones			
	Co. Commissioners:	Tom Wilson	Don VonderMeulen		

Hollie Maxie opens the meeting with the Pledge of Allegiance.

**WHITEWATER VALLEY REGIONAL INTERPRETIVE PARK APPROPRIATION** – Hollie Maxie reported we are here this evening to vote on the appropriation line for the Whitewater Valley Regional Interpretive Park. Jean Leising, State Senator District 42 had represented a letter to the County Council with a list of questions that her constituents have been asking with regards to the Metamora Interpretive Park and said she did not have the answers. 1) The Byway Association refers to their group as a non-profit. Have you seen any proof of application for the 501C3 status? 2) If a group of private citizens can be approved for a grant, can their group name be solely on the deed, and can they sell the property in the future? 3) How many members are in the Byway Association that currently holds the deed? 4) Why was the FCN Bank loan only a bridge loan and not a traditional mortgage? Can the bank recover their money if the appropriation is not approved? 5) Does the Council have a detailed list of the sources for the matching money provided by the Byway Association? 6) How will the Byway Association raise the revenue needed to operate the Interpretive Park? Is a detailed list available to the Council to offset their concerns? 7) Is there a chance that the County will have to help maintain or operate the Interpretive Park? 8) Why did the Commissioners call a special meeting to vote for a perpetual easement on the property after the Council had voted unanimously against the appropriation? 9) Since the Byway Association holds the deed for the property, did they collect the revenue from the recently held Canal Days event? If so, to whom do they report this income since they are not a 501C3? 10) Who currently insures this property? Is the County currently liable in any manner or is FCN Bank? 11) If the appropriation is approved by the Council, is there a limit in number of years that the County may be obligated? Stated in letter, As a Franklin County resident and taxpayer, I am very grateful to the Council for their serious deliberations on this issue. At first glance, one would assume the County would want to approve the appropriation and support the Metamora Interpretive Park. However, this is not the time for the County to assume any new fiscal liability. I urge you to get complete answers to your questions, and those of my constituents, before you call this to vote. Also attached to letter is the INDOT repayment provision that outlines the process for the County to pay back the funds if for any reason INDOT is required to repay the federal funds. States also to please read it carefully as it would greatly impact the financial status of Franklin County. Kathy Eaton, INDOT District Deputy Commissioner is present at this meeting. It was said the TE Application is a very competitive grant have been working with the Byway Association. This project the Federal Highway Association had approved the funds for the Byway Association for the Whitewater Valley Regional Interpretive Park and the guidelines were very unique and the purchase order is setting there to be processed. The Brooks Acts has been followed by the Commissioners, every rule has been followed up to this point. Joe Jarzen of the Historic Indiana Road Organization said when asked if 501C3 was needed and he replied they would have had to show proof of the 501C3. Jeff Koch asked do you right now have the 501C3 Status. Terry Duffy – we have a letter, to act as non for profit organization. Jeff Koch, when application was made did not have status. Terry Duffy, rules are set up that application is filed and reviewed and takes several months to get status. The application was lost and have letter of apology from Taxpayer Advocate Melissa Hille, Case Advocate that they lost application. Katy Eaton, the Federal Highway Administration approved grant application without the 501C3 as it was not required and it was only required that they purchase the property and that the property cannot be sold for 7 years and cannot be sold to a private individual. Answers to a few of the questions. 3) Candy Yurack reported there are 17 Board Members of The Whitewater Canal Byway Association. 9) Candy Yurack reported that we did collect the revenue and is deposited in the bank and it must be reported. Tom Horninger reported the Form 990 was filed in both 2009 and 2010. 10) Southeastern Indiana holds the Byway Association Insurance Policy. The Whitewater Canal Byway Associations name. 11) Cathy Eaton reported the property cannot be sold for 7-years, has to stay in a non for profit organizations name. Cathy Eaton reported the funds funnel through the County. Jeff Koch asked when can the County say they are not liable for the property. Cathy Eaton, as long as it sets in the Byway Associations name for 7-years. 4) Tom Horninger reported there a (2) loans and they are non secured loans. The date of the check is August 31, 2010. Steve Collier read letter of support from the Metamora Merchants Association with (20) signatures supporting the Byway Association. This project would help Metamora. Ken Konradi, against the project there would be 300 signatures against the project. Joe Jarzen said he had worked on these kinds of projects for 10 years with federal highway funds and presents Preservation Landmark Association and this project does develop Economic Development and would give Metamora a rebirth. The Project is very well supported. Carroll Lanning, Tourism is a very important part of Franklin County. Cathy Eaton, to date the purchase order is ready to go and everything has been followed. INDOT will do everything to watch that everything goes well to protect Franklin County. Once the check is cut Federal Highway Guidelines have been followed. Tom Linkel asked about the County's Liability and was told by Kathy Eaton that 7-years is the time frame in which the property cannot be sold. Tom Horninger reported the application for the 501C3 was applied for over a year ago and IRS had cashed the check and lost application and it was reapplied for and we paid for it again. The years 2008 and 2009 had been filed with the IRS. It was reported that The Byway Association had collected \$27,000.00 at Canal Days. Candy Yurcak said they have been working with the Franklin County Tourism. It was reported the original 2007 Application filed under Metamora Economic Development Corporation, which was denied and then reapplied in 2008. Dave White asked if the Whitewater Valley Regional Interpretive Park would consider bringing in a flea market there, everyone knows Wednesday's is a very busy day in Brookville. Candy Yurcak said there will not be a flea market that the Byway Association's goal is to preserve a historic landmark and not to promote a business. Hollie Maxie reads Resolution 2010-27A Whitewater Valley Interpretive park \$509,600. Hollie Maxie asked for a motion. Tom Linkel asked if we should wait until they have their 501C3 Status for Non for Profit. **MOTION** – Jeff Koch moved we deny the Additional Appropriation 2010-27A. Brad Spurlock seconds. All in Favor (4 – Brad Spurlock, Tom Linkel, Jeff Koch, Hollie Maxie) Opposed (3 – Kenneth Rosenberger, Jason Allen, Carroll Lanning). Motion carried.

Others Present:	Louis Linkel	Rick McMillin	John Steele	Harry Graves	Steve Collier
	Brenda Collier	Paul Crouch	Ed Peters	Shirley A Peters	Mike Wilson
	Wayne Monroe	Sherry Chandler	Robert McKain	Kathy Eaton-McKalep	Dave White
	Ken Konradi	Betty Riddle	Christy Sizemore	Joe Sizemore	Eva Fuchs
	Collie Calihan	Stan Monroe	Scott McDonough	Dale Maxie	Roger Johnson
	Sara Duffy	Bonita Porter	Paul Baudendistel		

AYE

S/ Hollie Maxie

Hollie Maxie

S/ Jeffery C Koch

Jeffery C Koch

S/ Kenneth J Rosenberger

Kenneth J Rosenberger

S/ Bradley L Spurlock

Bradley L Spurlock

S/ Carroll Lanning

Carroll Lanning

S/ Tom Linkel

Tom Linkel

S/ Jason Allen

Jason Allen

ATTEST: S/ Susan A Jones

Susan A Jones, Franklin County Auditor

NAY

Hollie Maxie

Jeffery C Koch

Kenneth J Rosenberger

Bradley L Spurlock

Carroll Lanning

Tom Linkel

Jason Allen