

MADISON COUNTY COUNCIL MINUTES

May 13, 2013

The Madison County Council was called to order by Councilman John Bostic. The following members were present:

John Bostic, Jr.  
Buddy Patterson  
Lisa Hobbs  
Robin Wagner  
Lisa Phillips  
Rick Gardner  
David McCartney

Also present were County Council Attorney, Thomas Beeman, and Auditor Jane Lyons and Chief Deputy Auditor, Patty Mauck.

Motion was made by Robin Wagner and seconded by Rick Gardner to approve the minutes of April 9, 2013 and April 18, 2013.

7 Ayes 0 Nays Motion carried.

Melinda Padgett, Victim Advocate Director requested a transfer of \$600.00 from 32000 Comm. and Transp. into 39000 Other Services and Charges. Motion to approve made by Rick Gardner and seconded by Robin Wagner.

7 Ayes 0 Nays Motion carried.

Steve Ford, Director of Health Department, requested a transfer within the Health Maintenance Fund of \$3,400.00 from 18240 Part time Nurse, \$1,000.00 from 16162 PERF and \$2,400.00 from 16163 Group Insurance. Motion to approve made by Buddy Patterson and seconded by Lisa Hobbs.

7 Ayes 0 Nays Motion carried.

Also requested within the TB Program the amount of \$4,500.00 from 39000 Other Services and Charges into 16163 Group Insurance. Motion to approve made by Buddy Patterson and seconded by David McCartney.

7 Ayes 0 Nays Motion carried.

The request made by Clerk Darlene Likens was continued to the next meeting.

May 13, 2013

Councilwoman Robin Wagner requested a transfer in the Council budget in the amount of \$100.00 from 31100 Attorney, \$40.00 into 32000 Communication and Transportation and \$60.00 into 39000 Other Services and Charges. Motion to approve made by Lisa Hobbs and seconded by Buddy Patterson. Councilman Rick Gardner amended the motion to approve only the \$60.00 into 39000 Other Services and Charges, motion seconded by David McCartney. A roll call vote was taken on the amended motion:

McCartney - yes	Hobbs - no
Phillips - no	Wagner - no
Gardner - yes	Patterson- no
Bostic – no	

2 Ayes 5 Nays Motion failed.

A roll call vote was taken on the original motion:

McCartney - no	Hobbs - yes
Phillips - yes	Wagner - yes
Gardner - no	Patterson- yes
Bostic – yes	

5 Ayes 2 Nays Motion carried.

Annette Craycraft, CASA Director, requested additional appropriation in Gal/Casa Fund in the amount of \$55,000.00 into 39000 Other Services and Charges. Motion to approve made by Rick Gardner and seconded by David McCartney.

7 Ayes 0 Nays Motion carried.

Dan Dykes, County Administrator, requested additional appropriation in the Wind Farm Road/Drainage Inspection Fund in the amount of \$55,000.00 into 31000 Professional Services. Motion to approve made by Rick Gardner and seconded by Buddy Patterson.

7 Ayes 0 Nays Motion carried.

The request made by the Commissioners in the COIT Fund was continued to the next meeting upon a motion made by Rick Gardner and seconded by David McCartney.

7 Ayes 0 Nays Motion carried.

May 13, 2013

Captain Jim Cleaver, Sheriff's Department, requested additional appropriations within the Jail's budget or within the County Public Safety Fund. The amounts are \$100,000.00 into 18242 Jail Medical Services, \$79,000.00 into 39241 Medicine and \$20,000.00 into 37000Rentals. Motion to approve the request within the Jail budget made by John Bostic and seconded by Lisa Hobbs.

5 Ayes 2 Nays (McCartney and Gardner) Motion carried.

Councilman Gardner made a motion to remove the request from County Public Safety Fund off the table. Motion seconded by David McCartney.

7 Ayes 0 Nays Motion carried.

Dr. Michael Frank, Public Defender Board Administrator, requested additional appropriations into the Supplemental Public Defender Fund in the following appropriations:

11119 Public Defender	\$39,950.00
11120 Public Defender	\$19,975.00
16161 FICA	\$4,584.26
16162 PERF	\$1,797.75
16163 Group Insurance	\$1,212.24

Motion to approve request made by John Bostic and seconded by Buddy Patterson.

6 Ayes 1 Nay (McCartney) Motion carried.

County Surveyor Patrick Manship requested additional appropriations into the Cornerstone Perpetuation Fund in the following appropriations:

44000 Machinery and Equipment	\$8,500.00
32000 Communication and Transportation	\$800.00-reduce to \$420.00
24000 Other Supplies	\$500.00

Motion to approve request with reduction, made by Buddy Patterson and seconded by David McCartney.

7 Ayes 0 Nays Motion carried.

May 13, 2013

County Assessor, Larry Davis requested additional appropriations into the Reassessment 2015 Fund in the following appropriations:

11424 Reassessment Clerk	\$17,000.00
11425 Reassessment Clerk	\$17,000.00
11223 Per Diem	\$11,000.00
15000 Part time	\$24,000.00
16161 FICA	\$5,300.00
17203 PTABOA	\$17,500.00
21000 Office Supplies	\$7,000.00
22000 Operating Supplies	\$4,000.00
23000 Repair and Maintenance Supplies	\$4,000.00
24000 Other Supplies	\$1,500.00
31000 Professional Services	\$50,000.00
32000 Communication and Transportation	\$40,000.00
33000 Printing and Advertising	\$20,000.00
36000 Repair and Maintenance	\$4,000.00
39000 Other Services and Charges	\$1,500.00
44000 Machinery and Equipment	\$5,000.00

Motion to approve request made by Robin Wagner and seconded by Lisa Phillips.

7 Ayes 0 Nays Motion carried.

The County Assessor also requested additional appropriations in the Assessor's budget in the General Fund in the following appropriations:

12309 Deputy Assessor	\$17,000.00
12310 Deputy Assessor	\$17,000.00
15000 Part time (\$11.00/hr)	\$24,000.00

Motion to approve request made by David McCartney and seconded by Rick Gardner. A roll call vote was taken:

McCartney - yes	Hobbs - no
Phillips - no	Wagner - no
Gardner - yes	Patterson- yes
Bostic - no	

3 Ayes 4 Nays Motion failed

May 13, 2013

The County Assessor also asked approval for out-of-state travel for himself and 2 employees to Fredericksburg, Virginia to an IAAO Course 402 Property Tax Policy conference. Said conference will be paid from the Sales Disclosure Fund. Motion to approve request made by John Bostic and seconded by Lisa Phillips.

6 Ayes 0 Nays 1 Abstain (Gardner) Motion carried.

County Treasurer Kelly Gaskill requested additional appropriations in the Treasurer's budget in the General Fund in the amount of \$27,839.82 into 169000 Sick Pay. Motion to approve request made by Lisa Hobbs and seconded by Lisa Phillips.

7 Ayes 0 Nays Motion carried.

Dena Willis and Pam Jones, Voters Registration, requested additional appropriations in the Voters Registration's budget in the General Fund in the following appropriations:

11201 First Deputy D	\$20,000.00
11202 First Deputy R	\$20,000.00
21000 Office Supplies	\$1,700.00
32000 Communication and Transportation	\$2,000.00
39000 Other Services and Charges	\$1,000.00
44000 Machinery and Equipment	\$1,900.00

Motion to approve request made by Buddy Patterson and seconded by Lisa Hobbs. A roll call vote was taken:

McCartney - no	Hobbs - yes
Phillips - yes	Wagner - yes
Gardner - no	Patterson- yes
Bostic - yes	

5 Ayes 2 Nays Motion carried.

County Auditor Jane Lyons, requested a transfer within the Plat Book Maintenance Fund in the amount of \$4,000.00 from 44000 Machinery and Equipment into 15000 Part time help. Motion to approve request made by John Bostic and seconded by Rick Gardner.

7 Ayes 0 Nays Motion carried.

May 13, 2013

Allen Henderson, COG, presented Resolution No. 2013-R7, A Resolution Disbursing Economic Development Project Funds From The County Share of Food and Beverage Tax Funds. Said Resolution is for an emergency need to assist with demolition of buildings in the City of Alexandria that has started to collapse. The amount of funds requested is \$24,000.00. Motion to table approval of Resolution No. 2013-R7 until the May 20<sup>th</sup> meeting made by John Bostic and seconded by Rick Gardner.

7 Ayes 0 Nays Motion carried.

**MADISON COUNTY COUNCIL  
MADISON COUNTY, INDIANA  
RESOLUTION ~~2013- R 7~~**

**A RESOLUTION DISBURSING ECONOMIC DEVELOPMENT  
PROJECT FUNDS FROM THE COUNTY SHARE OF FOOD AND  
BEVERAGE TAX FUNDS**

**WHEREAS**, the Madison County Council has enacted by ordinance a resolution establishing an Economic Development Project Fund heretofore on December 6, 1988; and

**WHEREAS**, I.C. 6-9-26-1, et seq. provides that such revenue shall be first applied as specified in the state statute, as amended, and thereafter to other qualifying economic development projects in Madison County; and

**WHEREAS**, pursuant to said resolution no disbursements shall be made by the County Auditor from said account unless approved by resolution of the County Council pursuant to I.C. 6-9-26-13(b); and

**WHEREAS**, the Madison County Council of Governments on behalf of the County Council was to review and recommend projects for the County Council to review and to determine as to funding; and

**WHEREAS**, the County Council has received the following requests for disbursement of funds as approved and forwarded by the Madison County Council of Governments:

- 1) Alexandria: \$24,000. (when funds are available) for an emergency need to assist with demolition of the Happy Times building and the adjoining structure on Harrison Street (110-116) that has started to collapse;

**WHEREAS**, the Madison County Council finds that the above project will:

- a) Attract new business and/or will retain or expand existing business in the county;
- b) Benefit the public health and welfare and be of public utility;
- c) Protect and increase state and local tax bases; and
- d) Result in a substantial increase in temporary and permanent employment opportunities in private sector investment in the county.

May 13, 2013

**NOW THEREFORE, BE IT RESOLVED BY THE MADISON COUNTY COUNCIL, as follows:**

That the Madison County Auditor shall disburse from the Economic Development Project Fund, from the County portion of the fund, a sum of twenty-four thousand dollars (\$24,000) to the aforementioned in said resolution to be applied to the project solely pursuant to the criteria adopted by the County Council in the Resolution 89-R-7 pursuant to I.C. 6-9-26-13(b).

Councilman John Bostic made a motion to hire financial consultant, Jim Steele to give the Council a report on the County finances and where it will be after June settlement. Motion seconded by Lisa Hobbs. No vote was taken.

Councilman Rick Gardner made a motion to hire Mike Phipps, ex-Councilmember. Motion seconded by David McCartney. A roll call vote was taken on the seconded motion:

McCartney - yes	Hobbs - no
Phillips - no	Wagner - no
Gardner - yes	Patterson- no
Bostic - no	

2 Ayes 5 Nays Motion failed.

Motion was then made by Lisa Phillips and seconded by Rick Gardner to table the hiring of a financial consultant until Monday, May 20<sup>th</sup> meeting for further investigation.

7 Ayes 0 Nays Motion carried.

Motion for unanimous consent to vote on Ordinance No. 2013-5C, Ordinance Authorizing Madison County Wheel Tax and a Madison County Motor Vehicle Excise Surtax made by John Bostic and seconded by Robin Wagner. A roll call vote was taken:

McCartney - no	Hobbs - yes
Phillips - yes	Wagner - yes
Gardner - no	Patterson- yes
Bostic - yes	

5 Ayes 2 Nays Motion carried.

May 13, 2013

Motion was made by Councilwoman Lisa Hobbs and seconded by John Bostic to introduce Ordinance No. 2013-5C, Ordinance Authorizing Madison County Wheel Tax and a Madison County Motor Vehicle Excise Surtax. A roll call vote was taken:

McCartney - no	Hobbs - yes
Phillips - yes	Wagner - yes
Gardner - no	Patterson- yes
Bostic - yes	

5 Ayes 2 Nays Motion carried.

Ordinance No. 2013-5C was read by Council Attorney, Thomas Beeman.

**ORDINANCE NO. 2013-5C**

**ORDINANCE AUTHORIZING MADISON COUNTY WHEEL TAX  
AND A MADISON COUNTY MOTOR VEHICLE EXCISE SURTAX**

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WHEREAS, IC 6-3.5-4-2 authorizes the County Council to impose, by ordinance, a local annual excise surtax (of not less than 2% or more than 10% or a flat fee not less than \$7.50 or more than \$25.00) on each motor vehicle subject to the annual excise tax registered in the County; and

WHEREAS, IC 6-3.5-5-2 authorizes the County Council to impose, by ordinance, a local option annual wheel tax (of not less than \$5.00 or not more than \$40.00) on each six (6) classifications of motor vehicles, not subject to the excise tax, registered in the County; and

WHEREAS, IC 6-3.5-4 and 5 require that the local option excise surtax and local option wheel tax be imposed concurrently; and

WHEREAS, Madison County and the cities and towns in Madison County have experienced a severe short-fall in funds needed to support the safe, all-weather operation of the road and street system in Madison County. ~~In addition, the State of Indiana is further limiting funding for roads for counties which do not adopt the wheel tax.~~

NOW, THEREFORE, BE IT ORDAINED BY THE COUNTY COUNCIL OF MADISON COUNTY, INDIANA, THAT:

1. Beginning January 1, 2014, and until further amended by ordinance, all passenger cars, trucks of less than 11,000 pounds gross weight, and motorcycles registered in Madison County, that are now subject to an excise tax, shall also be subject to an annual excise surtax of \$25.00 to be paid with the annual registration of said motor vehicles.



2. Beginning January 1, 2014, and until further amended by ordinance, all of the following eight (8) classes of motor vehicles, registered in Madison County, shall be subject to an annual wheel tax as set out in the following schedule, to be paid with the annual registration of said vehicles:

<u>Motor Vehicle Classification</u>	<u>Annual Wheel Tax</u>
a. buses	\$40.00
b. recreation vehicles	\$40.00
c. semi-trailers	\$40.00
d. tractors	\$40.00
e. light trailers	\$ 5.00 (less than 12,000 lbs.)
f. heavy trailers	\$40.00 (12,000 lbs. & greater)
g. light trucks	\$40.00 (less than 30,000 lbs.)
h. heavy trucks	\$40.00 (30,000 lbs. & greater)

3. As provided by IC 6-3.5-5-4, the following motor vehicles are exempt from the annual wheel tax:

- a. vehicles owned by the state, a state agency of this state, or a political subdivision of this state;
- b. buses owned and operated by a religious or non-profit youth organization and used to transport persons to religious services or for the benefit of their members; and
- c. vehicles subject to the annual excise surtax imposed under IC 6-3.5-5-4.

4. Beginning January 1, 2014, all of the excise surtax and wheel tax collected on motor vehicles registered in Madison County shall be distributed, as provided in Acts 1980, P L 10, to the county, city, and town units of Madison County by the County Auditor and shall be used on to construct, re-construct, repair, or maintain streets, roads, and bridges under their jurisdiction or as a contribution to an authority established under IC 36-7-23.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

MADISON COUNTY COUNCIL

By: \_\_\_\_\_  
John Bostic, Presiding Officer

ATTEST:

\_\_\_\_\_  
Jane Lyons, Auditor

May 13, 2013

AYE/NAY

\_\_\_\_\_  
Councilmember

AYE/NAY

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Councilmember

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Councilmember

AYE/NAY

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Councilmember

**MADISON County**

**Surtax:**

Flat Rate:	<u>\$25.00</u>
Percentage Rate:	<u>0%</u>
Minimum:	<u>\$25.00</u>

May 13, 2013

**Wheel Tax:**

RV's:	<u>\$40.00</u>	Farm Truck 11,000 lbs	<u>\$40.00</u>
Truck 16,000 lbs:	<u>\$40.00</u>	Farm Truck 16,000 lbs:	<u>\$40.00</u>
Truck 20,000 lbs:	<u>\$40.00</u>	Farm Truck 20,000 lbs:	<u>\$40.00</u>
Truck 23,000 lbs:	<u>\$40.00</u>	Farm Truck 23,000 lbs:	<u>\$40.00</u>
Truck 26,000 lbs:	<u>\$40.00</u>	Farm Truck 26,000 lbs:	<u>\$40.00</u>
Truck 30,000 lbs:	<u>\$40.00</u>	Farm Truck 30,000 lbs:	<u>\$40.00</u>
Truck 36,000 lbs:	<u>\$40.00</u>	Farm Truck 36,000 lbs:	<u>\$40.00</u>
Truck 42,000 lbs:	<u>\$40.00</u>	Farm Truck 42,000 lbs:	<u>\$40.00</u>
Truck 48,000 lbs:	<u>\$40.00</u>	Farm Truck 48,000 lbs:	<u>\$40.00</u>
Truck 54,000 lbs:	<u>\$40.00</u>	Farm Truck 54,000 lbs:	<u>\$40.00</u>
Truck 60,000 lbs:	<u>\$40.00</u>	Farm Truck 60,000 lbs:	<u>\$40.00</u>
Truck 66,000 lbs:	<u>\$40.00</u>	Farm Truck 66,000 lbs:	<u>\$40.00</u>
Truck 66,000+ lbs:	<u>\$40.00</u>	Farm Truck 66,000+ lbs:	<u>\$40.00</u>

Tractor 20,000 lbs:	<u>\$40.00</u>	Farm Semi Tractor 20,000 lbs:	<u>\$40.00</u>
Tractor 26,000 lbs:	<u>\$40.00</u>	Farm Semi Tractor 26,000 lbs:	<u>\$40.00</u>
Tractor 30,000 lbs:	<u>\$40.00</u>	Farm Semi Tractor 30,000 lbs:	<u>\$40.00</u>
Tractor 36,000 lbs:	<u>\$40.00</u>	Farm Semi Tractor 36,000 lbs:	<u>\$40.00</u>
Tractor 42,000 lbs:	<u>\$40.00</u>	Farm Semi Tractor 42,000 lbs:	<u>\$40.00</u>
Tractor 48,000 lbs:	<u>\$40.00</u>	Farm Semi Tractor 48,000 lbs:	<u>\$40.00</u>
Tractor 54,000 lbs:	<u>\$40.00</u>	Farm Semi Tractor 54,000 lbs:	<u>\$40.00</u>
Tractor 60,000 lbs:	<u>\$40.00</u>	Farm Semi Tractor 60,000 lbs:	<u>\$40.00</u>
Tractor 66,000 lbs:	<u>\$40.00</u>	Farm Semi Tractor 66,000 lbs:	<u>\$40.00</u>
Tractor 72,000 lbs:	<u>\$40.00</u>	Farm Semi Tractor 72,000 lbs:	<u>\$40.00</u>
Tractor 74,000 lbs:	<u>\$40.00</u>	Farm Semi Tractor 74,000 lbs:	<u>\$40.00</u>
Tractor 76,000 lbs:	<u>\$40.00</u>	Farm Semi Tractor 76,000 lbs:	<u>\$40.00</u>
Tractor 78,000 lbs:	<u>\$40.00</u>	Farm Semi Tractor 78,000 lbs:	<u>\$40.00</u>
Tractor Over 78,000+ lbs:	<u>\$40.00</u>	Farm Semi Tractor Over 78,000+ lbs:	<u>\$40.00</u>

Trailer 3,000 lbs:	<u>\$ 5.00</u>	Trailer 5,000 lbs:	<u>\$ 5.00</u>
Trailer 7,000 lbs:	<u>\$ 5.00</u>	Trailer 9,000 lbs:	<u>\$ 5.00</u>
Trailer 12,000 lbs:	<u>\$40.00</u>	Trailer 22,000 lbs:	<u>\$40.00</u>
Trailer over 22,000 lbs:	<u>\$40.00</u>		

Farm Trailer 12,000 lbs:	<u>\$40.00</u>	Farm Trailer 16,000 lbs:	<u>\$40.00</u>
Farm Trailer 22,000 lbs:	<u>\$40.00</u>	Farm Trailer over 22,000 lbs:	<u>\$40.00</u>

Semi Trailer One Year	<u>\$40.00</u>	Farm Semi Trailer one Year	<u>\$40.00</u>
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Semi Trailer First Year of Five Year Cycle	<u>\$40.00</u>
Semi Trailer Second Year of Five Year Cycle	<u>\$40.00</u>
Semi Trailer Third Year of Five Year Cycle	<u>\$40.00</u>
Semi Trailer Fourth Year of Five Year Cycle	<u>\$40.00</u>
Semi Trailer Fifth Year of Five Year Cycle	<u>\$40.00</u>

May 13, 2013

Farm Semi Trailer First Year of Fiver Year Cycle	<u>\$40.00</u>
Farm Semi Trailer Second Year of Five Year Cycle	<u>\$40.00</u>
Farm Semi Trailer Third Year of Five Year Cycle	<u>\$40.00</u>
Farm Semi Trailer Fourth Year of Five Year Cycle	<u>\$40.00</u>
Farm Semi Trailer Fifth Year of Five Year Cycle	<u>\$40.00</u>

Semi Trailer Permanent	<u>\$40.00</u>
Farm Semi Trailer Permanent	<u>\$40.00</u>

Bus A Commercial Intercity 11,000 lbs:	<u>\$40.00</u>
Bus A Commercial Intercity 16,000 lbs:	<u>\$40.00</u>
Bus A Commercial Intercity 20,000 lbs:	<u>\$40.00</u>
Bus A Commercial Intercity 26,000 lbs:	<u>\$40.00</u>
Bus A Commercial Intercity 30,000 lbs:	<u>\$40.00</u>
Bus A Commercial Intercity 36,000 lbs:	<u>\$40.00</u>
Bus A Commercial Intercity 42,000 lbs:	<u>\$40.00</u>
Bus A Commercial Intercity 48,000 lbs:	<u>\$40.00</u>
Bus A Commercial Intercity 54,000 lbs:	<u>\$40.00</u>
Bus A Commercial Intercity 60,000 lbs:	<u>\$40.00</u>
Bus A Commercial Intercity Over 60,000 lbs:	<u>\$40.00</u>

Bus C Not for Hire \$40.00

Bus D Municipal Intra City 11,000 lbs:	<u>\$ 0.00</u>
Bus D Municipal Intra City 16,000 lbs:	<u>\$ 0.00</u>
Bus D Municipal Intra City 20,000 lbs:	<u>\$ 0.00</u>
Bus D Municipal Intra City 26,000 lbs:	<u>\$ 0.00</u>
Bus D Municipal Intra City 30,000 lbs:	<u>\$ 0.00</u>
Bus D Municipal Intra City 36,000 lbs:	<u>\$ 0.00</u>
Bus D Municipal Intra City 42,000 lbs:	<u>\$ 0.00</u>
Bus D Municipal Intra City 48,000 lbs:	<u>\$ 0.00</u>
Bus D Municipal Intra City 54,000 lbs:	<u>\$ 0.00</u>
Bus D Municipal Intra City 60,000 lbs:	<u>\$ 0.00</u>
Bus D Municipal Intra City over 60,000 lbs:	<u>\$ 0.00</u>

Church Bus \$ 0.00

School Bus \$ 0.00

Class B Recovery Vehicle 16,000 lbs:	<u>\$40.00</u>
Class A Recovery Vehicle Over 16,000 lbs:	<u>\$40.00</u>

May 13, 2013

Mr. Beeman stated that the last line of the fourth WHEREAS should be removed due to the State of Indiana has rescinded the limiting of funding's for counties that do not adopt the wheel tax. Motion to amend the reading to remove the last line of the fourth WHEREAS of the Ordinance.

Motion seconded by John Bostic. A roll call vote was taken:

McCartney - no	Hobbs - yes
Phillips - yes	Wagner - yes
Gardner - no	Patterson- yes
Bostic - yes	

5 Ayes 2 Nays Motion carried.

Councilman Rick Gardner made a motion to re advertise the Ordinance with the amendment, motion seconded by David McCartney. A roll call vote was taken:

McCartney - yes	Hobbs - no
Phillips - no	Wagner - no
Gardner - yes	Patterson- no
Bostic - no	

2 Ayes 5 Nays Motion failed.

A public hearing was held and President Bostic gave any public a two minute time limit to speak for or against the Ordinance. Several people came forward. After no further input was given, the public hearing was closed.

The next advertised meeting is Tuesday, May 20, 2013 at 5:00 p.m.

There being no further business the meeting was adjourned.