

MADISON COUNTY COUNCIL MINUTES

May 20, 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.

Kris Lutz, County Clerk's Chief Deputy, requested a transfer in the Clerk's budget in the General Fund in the amount of \$14,000.00 into 15000 Part time help from 11702 Support Clerk. Motion to approve request made by Buddy Patterson and seconded by Rick Gardner.

7 Ayes 0 Nays Motion carried.

Captain James Cleaver Administrative Assistant at the Sheriff's Department, requested a transfer in the Jail's budget in the General Fund in the amount of \$50,000.00 into 37000 rentals from 39241 Medicine. Motion to approve request made by Lisa Hobbs and seconded by Robin Wagner.

7 Ayes 0 Nays Motion carried.

Commissioner John Richwine requested additional appropriations in the Commissioners budget in the COIT Fund in the amount of \$290,448.27 into 36000 Road Surface/Asphalt. Motion to approve made by Rick Gardner and seconded by Lisa Hobbs.

7 Ayes 0 Nays Motion carried.

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Commissioner Richwine also requested a transfer within the Commissioners budget in the COIT Fund in the amount of \$150,000.00 into 44000 Machinery and Equipment from 36000 Repair and Maintenance. Motion to approve request made by John Bostic 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 Council Attorney Thomas Beeman re read the original Ordinance No. 2013-5C, with the approved amendment.

Motion was made by Lisa Hobbs and seconded by Buddy Patterson to change letter e. Semi-trailers from \$40.00 to \$15.00. 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.

Motion was made by David McCartney and seconded by Rick Gardner to change letters a., d., f., and g. from \$40.00 to \$5.00 each. 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.

Motion was made by Rick Gardner and seconded by David McCartney to lower the Surtax rate to \$7.50. 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.

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Motion was made by Lisa Hobbs and seconded by Robin Wagner to approve Ordinance No. 2013-5C as read and as amended. A roll call vote was taken:

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

4 Ayes 3 Nays Motion carried.

ORDINANCE NO. 2013-5C

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

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.

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:

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<u>Motor Vehicle Classification</u>	<u>Annual Wheel Tax</u>
a. light trucks (including farm trucks & Class B Recovery Vehicles)	\$40.00 (11,000 to 30,000 lbs.)
b. trucks (including farm trucks & Class B Recovery Vehicles)	\$40.00 (30,001 lbs. & over)
c. trailers (used with motor vehicles)	\$ 5.00 (9,000 lbs. & under)
d. trailers (used with motor vehicles: includes farm trailers)	\$ 5.00 (9,001 lbs. & over)
e. recreation vehicles	\$40.00
f. semi-trailers	\$15.00
g. all tractors	\$40.00
h. buses (other than school or church buses)	\$40.00

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 20th day of May, 2013.

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MADISON COUNTY COUNCIL

By: John Bostic
John Bostic, Presiding Officer

May 20, 2013

ATTEST:

Jane E Lyons
Jane Lyons, Auditor

Madison County

County Name

I. SURTAX	AMOUNT
A. RATE TYPE (Indicate Flat Rate or Percentage Rate).....	Flat Rate
B. PASSENGER VEHICLES	<u>\$25.00</u>
C. MOTORCYCLES	<u>\$25.00</u>
D. TRUCKS - IC §9-29-5-3	
(including Farm Trucks and Class B Recovery Vehicles) 1-11,000 LBS	
7,000 (1-7,000 LBS).....	<u>\$25.00</u>
9,000 (7,001-9,000 LBS).....	<u>\$25.00</u>
10,000 (9,001-10,000 LBS).....	<u>\$25.00</u>
11,000 (10,001-11,000 LBS).....	<u>\$25.00</u>
II. WHEELTAX	
A. TRUCKS - IC §9-29-5-3	
(including Farm Trucks and Recovery Vehicles) 11,001 LBS and over.	
16,000 (11,001-16,000 LBS) (includes Class B Recovery Vehicles).....	<u>\$40.00</u>
20,000 (16,001-20,000 LBS) (includes Class A Recovery Vehicles).....	<u>\$40.00</u>
23,000 (20,001-23,000 LBS) (includes Class A Recovery Vehicles).....	<u>\$40.00</u>
26,000 (23,001-26,000 LBS) (includes Class A Recovery Vehicles).....	<u>\$40.00</u>
30,000 (26,001-30,000 LBS) (includes Class A Recovery Vehicles).....	<u>\$40.00</u>
36,000 (30,001-36,000 LBS) (includes Class A Recovery Vehicles).....	<u>\$40.00</u>
42,000 (36,001-42,000 LBS) (includes Class A Recovery Vehicles).....	<u>\$40.00</u>
48,000 (42,001-48,000 LBS) (includes Class A Recovery Vehicles) ...	<u>\$40.00</u>
54,000 (48,001-54,000 LBS) (includes Class A Recovery Vehicles).....	<u>\$40.00</u>
60,000 (54,001-60,000 LBS) (includes Class A Recovery Vehicles).....	<u>\$40.00</u>
66,000 (60,001-66,000 LBS) (includes Class A Recovery Vehicles).....	<u>\$40.00</u>
66,000+ (66,001 LBS and OVER) (includes Class A Recovery Vehicles)	<u>\$40.00</u>
B. TRAILERS used with motor vehicles - IC §9-29-5-4	
(includes Farm Trailers)	
3,000 (1-3,000 LBS)	<u>\$5.00</u>
5,000 (3,001-5,000 LBS)	<u>\$5.00</u>
7,000 (5,001-7,000 LBS).....	<u>\$5.00</u>
9,000 (7,001-9,000 LBS).....	<u>\$5.00</u>
12,000 (9,001-12,000 LBS).....	<u>\$5.00</u>
16,000 (12,001-16,000 LBS).....	<u>\$5.00</u>
22,000 (16,001-22,000 LBS).....	<u>\$5.00</u>
22,000+ (22,001 and OVER).....	<u>\$5.00</u>

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C. RVs.....	\$40.00
D. SEMI-TRAILERS (used in combination with Tractors to form "Semi-Trailer and Tractor", includes Farm Semi-Trailer and Tractor)	
1. SEMI-TRAILER-ONE YEAR.....	\$15.00
2. SEMI-TRAILER-FIVE YEAR CYCLE	
FIRST YEAR	\$15.00/year
SECOND YEAR	\$15.00/year
THIRD YEAR	\$15.00/year
FOURTH YEAR	\$15.00/year
FIFTH YEAR	\$15.00/year
3. SEMI-TRAILER PERMANENT	\$15.00/year
E. TRACTORS - IC §9-29-5-3 (not used in combination with a semi-trailer, includes Farm Tractors)	
7,000 (1-7,000 LBS).....	\$40.00
9,000 (7,001-9,000 LBS).....	\$40.00
10,000 (9,001-10,000 LBS).....	\$40.00
11,000 (10,001-11,000 LBS).....	\$40.00
16,000 (11,001-16,000 LBS).....	\$40.00
20,000 (16,001-20,000 LBS).....	\$40.00
23,000 (20,001-23,000 LBS).....	\$40.00
26,000 (23,001-26,000 LBS).....	\$40.00
30,000 (26,001-30,000 LBS).....	\$40.00
36,000 (30,001-36,000 LBS).....	\$40.00
42,000 (36,001-42,000 LBS).....	\$40.00
48,000 (42,001-48,000 LBS).....	\$40.00
54,000 (48,001-54,000 LBS).....	\$40.00
60,000 (54,001-60,000 LBS).....	\$40.00
66,000 (60,001-66,000 LBS).....	\$40.00
66,000+ (66,001 LBS and OVER).....	\$40.00
F. TRACTORS - IC §9-29-5-5 (used in combination with a Semi-Trailers to form "Semi-Trailer and Tractor", includes Farm Semi-Trailer and Tractor)	
20,000 (1-20,000 LBS).....	\$40.00
26,000 (20,001-26,000 LBS).....	\$40.00
30,000 (26,001-30,000 LBS).....	\$40.00
36,000 (30,001-36,000 LBS).....	\$40.00
42,000 (36,001-42,000 LBS).....	\$40.00
48,000 (42,001-48,000 LBS).....	\$40.00
54,000 (48,001-54,000 LBS).....	\$40.00
60,000 (54,001-60,000 LBS).....	\$40.00
66,000 (60,001-66,000 LBS).....	\$40.00
72,000 (66,001-72,000 LBS).....	\$40.00
74,000 (72,001-74,000 LBS).....	\$40.00
76,000 (74,001-76,000 LBS).....	\$40.00
78,000 (76,001-78,000 LBS).....	\$40.00
78,000+ (78,001 LBS and OVER).....	\$40.00

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6 F. BUSES - IC §9-29-5-7	
1. BUS A COMMERCIAL INTER-CITY	
11,000 (1-11,000 LBS).....	\$40.00
16,000 (11,001-16,000 LBS).....	\$40.00
20,000 (16,001-20,000 LBS).....	\$40.00
26,000 (20,001-26,000 LBS).....	\$40.00
30,000 (26,001-30,000 LBS).....	\$40.00
36,000 (30,001-36,000 LBS).....	\$40.00
42,000 (36,001-42,000 LBS).....	\$40.00
48,000 (42,001-48,000 LBS).....	\$40.00
54,000 (48,001-54,000 LBS).....	\$40.00
60,000 (54,001-60,000 LBS).....	\$40.00
60,000+ (60,001 LBS and OVER).....	\$40.00
2. BUS A COMMERCIAL INTRA-CITY - IC § 9-29-5-7	
11,000 (1-11,000 LBS).....	\$40.00
16,000 (11,001-16,000 LBS).....	\$40.00
20,000 (16,001-20,000 LBS).....	\$40.00
26,000 (20,001-26,000 LBS).....	\$40.00
30,000 (26,001-30,000 LBS).....	\$40.00
36,000 (30,001-36,000 LBS).....	\$40.00
42,000 (36,001-42,000 LBS).....	\$40.00
48,000 (42,001-48,000 LBS).....	\$40.00
54,000 (48,001-54,000 LBS).....	\$40.00
60,000 (54,001-60,000 LBS).....	\$40.00
60,000+ (60,001 LBS and OVER).....	\$40.00
3. BUS C NOT FOR HIRE - IC § 9-29-5-10.....	\$40.00
4. SCHOOL BUS - IC § 9-29-5-8 or	
CHURCH BUS - IC § 9-29-5-9 (If not exempt)	\$0.00

May 20, 2013

AYE/NAY

Lisa G Phillips
Councilmember

AYE/NAY

Robin Wagner
Councilmember

AYE/NAY

John Bostic
Councilmember

AYE/NAY

Lisa Abbotts
Councilmember

AYE/NAY

Rick Gardner
Councilmember

AYE/NAY

Councilmember

AYE/NAY

Councilmember

Alan Henderson, COG, presented Resolution No. 2013-R7, A Resolution Disbursing Economic Development Project Funds from the County Share of Food and Beverage Tax Funds for the City of Alexandria. Motion to approve Resolution made by Lisa Phillips and seconded by Rick Gardner.

7Ayes 0 Nays Motion carried,

May 20, 2013

**MADISON COUNTY COUNCIL
MADISON COUNTY, INDIANA
RESOLUTION 2013- *87***

**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.

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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).

PASSED AND ADOPTED by the County Council of Madison County, Indiana, this 20th day of May, 2013.

	Aye	Nay	Abstained	Absent
 John Bostic Jr.	✓	_____	_____	_____
 Rick Gardner	✓	_____	_____	_____
 Lisa Hobbs	✓	_____	_____	_____
 David McCartney	✓	_____	_____	_____
 Buddy Patterson	✓	_____	_____	_____
 Lisa Phillips	✓	_____	_____	_____
 Robin Wagner	✓	_____	_____	_____

ATTEST:


Jane Lyons
Madison County Auditor

Motion was made by Buddy Patterson and seconded by Lisa Hobbs to hire James Steele as a financial consultant for Madison County. 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 20, 2013

Mr. Rob Sparks, Director of Corporation of Economics Development, address the Council on consideration of a Resolution in support of continuing the Phase II feasibility study of the Mounds Lake Project. Motion was made by John Bostic and seconded Lisa Phillips to consider a Resolution in support of continuing Phase II feasibility study.

7 Ayes 0 Nays Motion carried.

A RESOLUTION SUPPORTING THE DEVELOPMENT OF THE MOUNDS LAKE.

WHEREAS, Mad. Co. Council is a governmental entity organized and established under the laws of the State of Indiana; and

WHEREAS, the Anderson Corporation for Economic Development (CED) of Madison County, Indiana has completed a Phase I Environmental and Engineering Site Assessment study on a proposed 2100 acre reservoir in Madison and Delaware Counties, to be known as the Mounds Lake; and

WHEREAS, the creation and development of a reservoir in Madison and Delaware Counties will necessitate cooperation from all affected governmental units as it relates to zoning, highways, commercial and residential development, sewer, water, recreation, engineering and feasibility studies, and sources of funding for the project; and

WHEREAS, all of the affected governmental units have been asked for their initial cooperation and support in moving this project forward, into Phase II, by the adoption of a resolution; and

WHEREAS, the development and construction of a reservoir in the Madison and Delaware Counties will have a positive effect on our community and be in the best interests of its citizens.

NOW THEREFORE, BE IT RESOLVED by the Mad. Co. Council, as follows:

SECTION I: The Mad. Co. Council hereby gives its endorsement and support for the proposed project creating and developing a reservoir to be known as the "Mounds Lake".

SECTION II: The Mad. Co. Council supports the proposal of CED to complete a Phase II Environmental Site Assessment and Engineering Study.

SECTION III: The Mad. Co. Council supports the proposal of CED to explore the creation of a commission composed of representatives of the affected governmental units, look at all aspects of the Mounds Lake project including, but not limited to, land use, zoning, highways, sewer, water, engineering and feasibility studies, community planning, public communications, and sources for funding the project.

SECTION IV: That the adoption of this resolution does not create any financial obligation or fiscal impact on Mad. Co. Council.

PASSED AND ADOPTED this 20th day of May, 2013.

May 20, 2013

MADISON COUNTY COUNCIL

By: John Bostic
John Bostic, Presiding Officer

ATTEST:
Jane E Lyons
Jane Lyons, Auditor

AYE NAY

Jim Phillips
Councilmember

AYE NAY

Buddy E. Galt
Councilmember

AYE NAY

Reddy
Councilmember

AYE NAY

Robin Wagner
Councilmember

AYE NAY

Carl
Councilmember

AYE NAY

Lisa Hobbs
Councilmember

The next meeting was originally set for Tuesday, June 11, 2013 but due to Council members not being in town a motion was made by Lisa Hobbs and seconded by Robin Wagner to change the regular scheduled meeting to Tuesday, June 25, 2013 at 5:00p.m.

7 Ayes 0 Nays Motion carried.

There being no further business the meeting was adjourned.