

AUDITOR'S CERTIFICATE

STATE OF INDIANA)
) SS:
COUNTY OF MADISON)

I, Kathy Stoops-Wright, duly elected, qualified and acting Auditor of aforesaid County and State do hereby certify that the attached record is a true and complete copy of the minutes of the special meeting of the Madison County Council held on March 9, 2010.

Dated at Anderson Indiana this 9th day of March, 2010.

S/Kathy Stoops-Wright
Madison County Auditor

**MINUTES OF THE MADISON
COUNTY COUNCIL**

The Madison County Council met in special session on March 9, 2010 with the following members present:

Bill Savage
Larry Higgins
Buddy Patterson
John Bostic, Jr.
Larry Crenshaw
Gary Gustin
Mike Phipps

Also present were County Auditor Kathy Stoops-Wright and first deputy Auditor Patty Mauck.

The Auditor presented to the County Council an Ordinance entitled "An Ordinance Appropriating Money in the Emergency Planning and Right to Know Fund, County Wheel Tax/Surtax Fund, Cumulative Bridge Fund, Local Road and Street Fund, Hazmat Truck Fund, EMPG Grant, Sheriff Photo Fund, Adult Protective Services, County Drug Free Community Fund and the General Fund.

COUNTY EMERGENCY APPROPRIATION NUMBER 3A

WHEREAS, certain conditions have developed since the adoption of the existing annual budget that is necessary to appropriate more money than was appropriated in the annual budget for the various functions of the County Government to meet such extraordinary emergencies.

SECTION I. Be it ordained by the Madison County Council of Madison County, Indiana for the expenses of the County Government and its institutions for the year ending December 2010, the following sums of money are hereby appropriated and set out of the several funds herein specified, subject to the laws governing the same, such sums appropriated shall be held to include all expenditures to be made during the year.

SECTION II. That for the fiscal period there is appropriated out of the various funds thereafter named; the following specified amount to be transferred or new money to meet such extraordinary emergencies, which are declared to exist.

March 9, 2010

NEW MONEY

Amount Amount
Requested Allowed

HEALTH FUND

WIC

133-000 Peer Counselor (cont. from January meeting)	\$11,551.00	11,551.00
134-000 Clerk (cont. from January meeting)	\$20,140.00	20,140.00

COUNTY DRUG FREE COMMUNITY FUND

310-000 Professional Services	\$15,000.00	15,000.00
390-000 Other Services and Charges	\$85,974.00	85,974.00

COUNTY WHEEL TAX/SURTAX FUND

300-303 CR 800 North	\$800,000.00	800,000.00
300-305 2010 Road Materials	\$500,000.00	500,000.00
300-306 CR 300 East	\$500,000.00	500,000.00
300-307 2010 ARRA Stimulus	\$200,000.00	200,000.00

CUMULATIVE BRIDGE FUND

200-123 Bridge 123 (600W/White River)	\$100,000.00	100,000.00
200-159 Bridge 159 (1100 S/Sugar Creek)	\$325,000.00	325,000.00
200-A-94 Bridge A-94 (200E=1300N-1400N)	\$100,000.00	100,000.00
200-C-33 Bridge C-33 (550N=200E-300E)	\$25,000.00	25,000.00
200-E-24 Bridge E-24 (250E=SR38-US36)	\$100,000.00	100,000.00
200-10-1 2010 Misc Culvert Materials	\$50,000.00	50,000.00
200-10-2 2010 Misc Bridge Repairs	\$200,000.00	200,000.00
200-1012 2010-2012 Bridge Inspection	\$150,000.00	150,000.00

March 9, 2010

NEW MONEY

	<u>Amount</u>	<u>Amount</u>
	<u>Requested</u>	<u>Allowed</u>

LOCAL ROAD AND STREET FUND

300-005 2010 Paving	\$500,000.00	500,000.00
300-006 2010 Signs	\$125,000.00	125,000.00
300-007 2010 Pavement Markings	\$100,000.00	100,000.00

EMERGENCY PLANNING AND RIGHT TO KNOW FUND

150-000 Part time Help	\$500.00	500.00
210-000 Office Supplies	\$500.00	500.00
230-000 Repair and Maintenance Supplies	\$1,000.00	1,000.00
320-000 Communication and Transportation	\$1,000.00	1,000.00
390-000 Other Services and Charges	\$28,144.00	28,400.00
440-000 Machinery and Equipment	\$2,000.00	2,000.00

HAZMAT TRUCK FUND

390-000 Other Service and Charges	\$20,000.00	20,000.00
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EMPG GRANT

390-000 Other Services and Charges	\$15,000.00	15,000.00
440-000 Machinery and Equipment	\$30,000.00	30,000.00

ADULT PROTECTIVE SERVICES

150-000 Part time Help	\$11,684.00	11,684.00
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SHERIFF PHOTO FUND

390-000 Other Services and Charges	\$3,208.00	3,208.00
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March 9, 2010

NEW MONEY

<u>Amount</u>	<u>Amount</u>
<u>Requested</u>	<u>Allowed</u>

GENERAL FUND

Treasurer

311-000 Attorney

\$59,974.39	59,974.39
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Election

310-000 Professional Services

\$21,000.00	21,000.00
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ORDINANCE NO 3A was presented to the Madison County Council and read in full this 9th day of March, 2010.

S/William Savage
President County Council

ATTEST:

S/Kathy Stoops-Wright
Kathy Stoops-Wright
Madison County Auditor

ORDINANCE NO 3A was presented to the Madison County Council read and adopted this 6th day of March, 2010 by the following Aye or Nay vote:

AYE	NAY
<u>S/Larry Higgins</u>	_____
<u>S/Buddy Patterson</u>	_____
<u>S/John Bostic, Jr</u>	_____
<u>S/William Savage</u>	_____
<u>S/Gary Gustin</u>	_____
<u>S/Larry Crenshaw</u>	_____
<u>S/Mike Phipps</u>	_____

ATTEST:

S/Kathy Stoops-Wright
Kathy Stoops-Wright
Madison County Auditor

The Auditor was directed to present the above emergency appropriations to the State Board of Tax Commissioners for approval as provided by law.

S/William Savage
President County Council

AUDITOR'S CERTIFICATE

STATE OF INDIANA)
) SS:
COUNTY OF MADISON)

I, Kathy Stoops-Wright, duly elected, qualified and acting Auditor of aforesaid County and State do hereby certify that the attached record is a true and complete copy of the minutes of the special meeting of the Madison County Council held on March 9, 2010.

Dated at Anderson, Indiana this 9th day of March, 2010.

S/Kathy Stoops-Wright
Kathy Stoops-Wright
Madison County Auditor

**MINUTES OF THE MADISON
COUNTY COUNCIL**

The Madison County Council met in special session on March 9, 2010 with the following members present:

Bill Savage
Larry Higgins
Buddy Patterson
John Bostic, Jr.
Larry Crenshaw
Gary Gustin
Mike Phipps

Also present were County Auditor Kathy Stoops-Wright and first deputy Auditor Patty Mauck.

The Auditor presented to the County Council an Ordinance entitled "An Ordinance Transferring Money within the Highway Fund and the General Fund.

COUNTY EMERGENCY APPROPRIATION NUMBER 3B

WHEREAS, certain conditions have developed since the adoption of the existing annual budget that is necessary to transfer more money than was appropriated.

SECTION I. Be it ordained by the Madison County Council of Madison County, Indiana for the expenses of the County Government and its institutions for the year ending December 2010, the following sums of money are hereby transferred.

March 9, 2010

TRANSFERS

Amount Amount
Requested Allowed

GENERAL FUND

Central Records

440-000 Machinery and Equipment	\$1,188.75	1,188.75
Transfer from 220-000 Operating Supplies	(1,188.00)	(1188.75)

Auditor

440-000 Machinery and Equipment	\$2,380.00	2,380.00
Transfer from 210-000 Office Supplies	(2380.00)	(2380.00)

HIGHWAY FUND

Maintenance and Repair

168-000 Overtime	\$30,000.00	30,000.00
Transfer from 111-000 Truck Drivers	(30,000.00)	(30,000.00)

ORDINANCE NO. 3B was presented to the Madison County Council and read in full this 9th day of March, 2010.

S/William Savage
President County Council

ATTEST:

S/Kathy Stoops-Wright
Kathy Stoops-Wright
Madison County Auditor

ORDINANCE NO. 3B was presented to the Madison County Council read and adopted this 9th day of March, 2010 by the following Aye or Nay vote:

AYE	NAY
<u>S/Larry Higgins</u>	_____
<u>S/Buddy Patterson</u>	_____
<u>S/John Bostic, Jr</u>	_____
<u>S/William Savage</u>	_____
<u>S/Gary Gustin</u>	_____
<u>S/Larry Crenshaw</u>	_____
<u>S/Mike Phipps</u>	_____

ATTEST:

S/Kathy Stoops-Wright
Kathy Stoops-Wright
Madison County Auditor

The Auditor was directed to present the above emergency appropriations to the State Board of Tax Commissioners for approval as provided by law.

S/William Savage
President County Council

MADISON COUNTY COUNCIL MINUTES

March 9, 2010

The Madison County Council was called to order by President William Savage. The following Council Members were present:

John Bostic, Jr.
Larry Crenshaw
Mike Phipps
Gary Gustin
Buddy Patterson
Bill Savage
Larry Higgins

Also present were County Auditor Kathy Stoops-Wright, First Deputy Auditor Jane Lyons and Council Attorney Jim Wilson.

Minutes for January 12, 2010 meeting were approved upon motions made by Larry Crenshaw and seconded by Larry Higgins.

7 Ayes 0 Nays Motion carried.

Steve Ford, Health Department, requested new money within the WIC Department of \$11,551.00 into 133-000 Peer Counselor and \$20,140.00 into 134-000 Clerk. Motion to approve request made by Gary Gustin and seconded by Buddy Patterson.

7 Ayes 0 Nays Motion carried.

Paul Wilson, Commissioner, requested new money within the following funds and appropriations:

COUNTY DRUG FREE COMMUNITY FUND

310-000 Professional Services	\$15,000.00
390-000 Other Services and Charges	\$85,974.00

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

7 Ayes 0 Nays Motion carried.

March 9, 2010

COUNTY WHEEL TAX/SURTAX FUND

300-303 CR 800 North	\$800,000.00
300-305 2010 Road Materials	\$500,000.00
300-306 CR 300 East	\$500,000.00
300-307 2010 ARRA Stimulus	\$200,000.00

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

7 Ayes 0 Nays Motion carried.

CUMULATIVE BRIDGE FUND

200-123 Bridge 123 (600W/White River)	\$100,000.00
200-159 Bridge 159 (1100 S/Sugar Creek)	\$325,000.00
200-A-94 Bridge A-94 (200E=1300N-1400N)	\$100,000.00
200-C-33 Bridge C-33 (550N=200E-300E)	\$25,000.00
200-E-24 Bridge E-24 (250E=SR38-US36)	\$100,000.00
200-10-1 2010 Misc Culvert Materials	\$50,000.00
200-10-2 2010 Misc Bridge Repairs	\$200,000.00
200-1012 2010-2012 Bridge Inspection	\$150,000.00

Motion to approve made by Gary Gustin and seconded by John Bostic.

7 Ayes 0 Nays Motion carried.

LOCAL ROAD AND STREET FUND

300-005 2010 Paving	\$500,000.00
300-006 2010 Signs	\$125,000.00
300-007 2010 Pavement Markings	\$100,000.00

Motion to approve made by Larry Higgins and seconded by Buddy Patterson.

7 Ayes 0 Nays Motion carried.

Commissioner Wilson also requested a transfer within the Highway Fund under Maintenance and Repair in the amount of \$30,000.00 from 111-000 Truck Drivers into 168-000 Overtime. Motion to approve made by Gary Gustin and seconded by Larry Higgins.

7 Ayes 0 Nays Motion carried.

March 9,2010

Commissioner Wilson also requested a transfer within the Central Records Department in the amount of \$1,188.75 from 220-000 Operating Supplies into 440-000 Machinery and Equipment. Motion to approve made by Buddy Patterson and seconded by John Bostic.

7 Ayes 0 Nays Motion carried.

Dick Brown, Emergency Management Director, requested new money within the following funds and appropriations:

EMERGENCY PLANNING AND RIGHT TO KNOW FUND

150-000 Part time Help	\$500.00
210-000 Office Supplies	\$500.00
230-000 Repair and Maintenance Supplies	\$1,000.00
320-000 Communication and Transportation	\$1,000.00
390-000 Other Services and Charges	\$28,144.00
440-000 Machinery and Equipment	\$2,000.00

Motion to approve made by Gary Gustin and seconded by Larry Crenshaw.

7 Ayes 0 Nays Motion carried.

HAZMAT TRUCK FUND

390-000 Other Service and Charges	\$20,000.00
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Motion to approve made by Gary Gustin and seconded by Larry Higgins.

7 Ayes 0 Nays Motion carried.

EMPG GRANT

390-000 Other Services and Charges	\$15,000.00
440-000 Machinery and Equipment	\$30,000.00

Motion to approve made by Larry Higgins and seconded by Buddy Patterson.

7 Ayes 0 Nays Motion carried.

March 9, 2010

Tom Broderick, Prosecutor, requested new money within the Adult Protective Services in the amount of \$11,684.00 in 150-000 Part time Help. Motion to approve made by John Bostic and seconded by Larry Higgins.

7 Ayes 0 Nays Motion carried.

Mr. Broderick also asked the Council members to exempt the employees in the Adult Protective Services from paying their 3% PERF because that fund is 100% reimbursed. Motion to exempt those employees made by Gary Gustin and seconded by Larry Crenshaw.

7 Ayes 0 Nays Motion carried.

Mr. Broderick also asked the Council members to pay the Bilingual Victim Advocate's PERF from the General Fund. Motion was made by John Bostic and seconded by Buddy Patterson to pay the PERF retroactive from the hire date and phased in from the General Fund. Motion seconded by Buddy Patterson.

5 Ayes 2 Nays (Gustin and Phipps) Motion carried.

Sheriff Ron Richardson, requested new money within the Sheriff Photo Fund of \$3,208.00 into 390-000 Other Services and Charges. Motion to approve made by Gary Gustin and seconded by Larry Crenshaw.

7 Ayes 0 Nays Motion carried.

Sheriff Richardson also asked for approval to replace 2 fulltime Jail Officers positions, 1 now and 1 in March when the employee leaves. Motion was made by Buddy Patterson and seconded by Gary Gustin to approve request.

6 Ayes 1 Nay (Phipps) Motion carried.

Councilman Gustin stated he believes there should be a hiring freeze.

Darlene Likens, Treasurer, requested new money in the amount of \$59,974.39 into 311-000 Attorney for bankruptcy collections that Attorney Tom Beeman collected in 2009. He receives 1/3 of what money he collects according to the agreement he has with the Commissioners. Motion to approve made by John Bostic and seconded by Larry Crenshaw.

7 Ayes 0 Nays Motion carried.

The Council has asked the Council Attorney, Jim Wilson, to review the current agreement with the bankruptcy attorney and prepare an agreement where money can be collected from other taxing units from which the bankrupt property is located to help with attorney fees.

March 9, 2010

Ludy Watkins, Clerk, and Mary Retherford, Election Director, requested new money within the Election Department in the amount of \$21,000.00 into 310-000 Professional Services. Motion to approve made by John Bostic and seconded by Buddy Patterson.

7 Ayes 0 Nays Motion carried.

Kathy Stoops-Wright, Auditor, requested a transfer of \$2,380.00 from 210-000 Office Supplies into 440-000 Machinery and Equipment. Motion to approve made by John Bostic and seconded by Buddy Patterson.

6 Ayes 1 Nay (Phipps) Motion carried.

Council appointed Dan Prieshoff to the North Madison County Public Library Board. Motion to approve appointment made by Larry Higgins and seconded by Buddy Patterson.

7 Ayes 0 Nays Motion carried.

County Attorney Jim Wilson presented the following Resolution No. 2010-R-2, A Resolution Approving Statement of Benefits in Support of Application for Property Tax Deduction (New Manufacturing Equipment):

RESOLUTION NUMBER 2010-R-2

**A RESOLUTION APPROVING STATEMENT OF BENEFITS
IN SUPPORT OF APPLICATION FOR PROPERTY TAX DEDUCTION
(NEW MANUFACTURING EQUIPMENT)**

WHEREAS, the Madison County Council, Madison County, Indiana, on November 26, 2002, by Resolution No. 2002-R-6 of the Madison County Council, declared an "Economic Revitalization Area" within Madison County, Indiana, to wit:

(See legal attached)

commonly known as 2481 S. Brookside Road, Lapel, IN 46051; and,

WHEREAS, pursuant to said Resolution, the above described real estate was deemed an Economic Revitalization area for a period of ten (10) years following the date of the adoption of said Resolution. Therefore, said designation shall terminate November 26, 2012; and,

WHEREAS, Owens-Brockway Glass Container, Inc., as situated in Madison County, Indiana, will be purchasing new manufacturing equipment which will retain current jobs with a corresponding economic benefit to Madison County, Indiana; and,

WHEREAS, pursuant to I.C. §6-1.1-12.1-2(j)(1) the Madison County Council does not have to redesignate the same as a revitalization area with each SB-1 which might be filed;

WHEREAS, Owens-Brockway Glass Container, Inc., has filed with this Council a Statement of Benefits on the form approved by the Department of Local Government Finance and has provided this Council with a presentation in support thereof; and,

WHEREAS, the Madison County Council is satisfied that the Statement of Benefits meets requirements of the Indiana Code and Madison County, Indiana.

NOW, THEREFORE, BE IT RESOLVED:

Section 1. That the matters and things cited in the preamble hereof are hereby adopted and made a part of this Resolution by incorporation and reference as if repeated in full.

Section 2. That the Madison County Council hereby determines:

- a) That the additional number of individuals who will be employed, or those whose employment will be retained, the annual salaries of those individuals, and the value of purchases of equipment described in the Statement of Benefits are benefits which can be reasonably expected to result from the project.
- b) That the benefits of the proposed project and acquisitions as set forth in the SB-1 justify the deductions which will occur as a result of this Resolution.
- c) That as a result of the above referenced statutes and Resolution, the deduction to

which Owens-Brockway Glass Container, Inc. is entitled relative to its purchase of new manufacturing equipment is 10 years for said purchase.

d) That the location of the new manufacturing equipment as described in the Statement of Benefits is within the previously established Economic Revitalization Area.

e) That the Statement of Benefits filed by Owens-Brockway Glass Container, Inc., relative to its purchase of new manufacturing equipment meet the requirements of this Council and should be approved as submitted.

Section 3. The Madison County Council hereby accepts and approves the Statement of Benefits of Owens-Brockway Glass Container, Inc., dated February 25, 2010, relative to its purchase of new manufacturing equipment, and hereby authorizes the signature thereon, by the Presiding Officer of this Council and the attestation thereof by the Madison County Auditor.

Section 4. That said Statement of Benefits shall be treated as confidential in the manner provided by law.

Section 5. That this Resolution shall be in full force and effect after its adoption by the Madison County Council.

ADOPTED this 9th day of March, 2010, by the Madison County Council, Madison County, Indiana.

WILLIAM D. SAVAGE, President
Madison County Council

ATTEST:

KATHY STOOPS-WRIGHT
Madison County Auditor

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madisoncounty council/resolutions/2010-03-1 Owens-brockway-10-3946

Also presented was Owens Brockway Glass's SB-1, which gives them an abatement for personal property. Motion to approve said Resolution and SB-1 for Owens Brockway Glass made by Mike Phipps and seconded by Larry Crenshaw.

6 Ayes 1 Nay Motion carried.

The next council meeting was set for April 13, 2010 at 4:00 p.m.

There being no further business the meeting was adjourned.