

MADISON COUNTY COUNCIL MINUTES

April 9, 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, Auditor Jane Lyons and Chief Deputy Auditor Patty Mauck.

Motion was made by Rick Gardner and seconded by Lisa Phillips to approve the minutes for January 22, 2013.

7 Ayes 0 Nays Motion carried.

The following statement was read by Council Attorney Thomas Beeman on behalf of Council President John Bostic:

“Before this meeting gets started, as President of this board, I am stating that we will not entertain any motions for a time change. The first meeting of the year, the motion was made for our monthly meetings to be at 5pm on the second Tuesday of every month, unless otherwise noted. As President, I will make the decision to change the meeting only if there is a true weather or building emergency. It will be at my discretion as to the new time and /or date. Again, no motions concerning this issue will be entertained by this board until January of 2014”

Steve Richardson, County Drug Free Community Director, requested additional appropriations within the Drug Free Community Fund of \$3,250.00 into 39000 Other Services and Charges. Motion to approve request made by Buddy Patterson and seconded by David McCartney.

7 Ayes 0 Nays Motion carried.

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Steve Ford, Health Department Director, requested additional appropriations within the Health Fund in the amount of \$8,288.00 into 16900 Sick Pay. Motion to approve request made by Buddy Patterson and seconded by David McCartney .

7 Ayes 0 Nays Motion carried.

Kyle Noone, Weights and Measures, requested additional appropriations in the Weights and Measures Department in the amount of \$211.96 into 21000 Office Supplies. Motion to approve made by Buddy Patterson and seconded by Lisa Hobbs.

7 Ayes 0 Nays Motion carried.

Denny Williamson, Properties Manager, requested additional appropriations within the Courthouse budget of the following appropriations:

23000 Repair and Maintenance	\$1,052.09
24000 Other Supplies	\$478.31
35000 Utilities	\$18,268.95
39000 Other Services and Charges	\$11,353.52
35000 Utilities	\$13,177.23 (withdrew)

Motion to approve made by Lisa Hobbs and seconded by Rick Gardner .

7 Ayes 0 Nays Motion carried.

Tom Ecker, Emergency Management Director, requested additional appropriations within the Emergency Management budget, \$1,075.00 into 37000 Rentals and \$266.00 into 37010. Motion to approve request made by Rick Gardner and seconded by Lisa Hobbs.

7 Ayes 0 Nays Motion carried.

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Dr. Michael Frank, Public Defender Administrator, requested additional appropriations within the Public Defender budget, \$19,975.00 into 12401 and \$39,950.00 into 13400. Council asked Dr. Frank if he could pay the requested amounts out of the Supplemental Public Defenders Fund and advertise those amounts at the May meeting. Request was withdrawn.

Captain Jim Cleaver, requested additional appropriation within the Sheriff's budget, \$1,092.99 into 440-000 Machinery and Equipment. Motion to approve request made by Rick Gardner and seconded by Buddy Patterson.

7 Ayes 0 Nays Motion carried.

Also requested was additional appropriation in the amount of \$180,137.00 into 16062 Sheriff Retirement and \$63,392.00 into 15000 Part time help. Motion to approve request made by Lisa Hobbs and seconded by Lisa Phillips.

7 Ayes 0 Nays Motion carried.

He also requested additional appropriations within the Jail budget, \$1,066.00 into 11907 Civilian Jail Officer, \$71,435.00 into 37000 Rentals and \$40,387.00 into 18242 Medical Services. Council asked Captain Cleaver if he would advertise the Civilian Jail Officer out of County Public Safety Fund for the May meeting. Captain Cleaver withdrew his request out of Rentals. Motion to approve the \$40,387.00 into Medical Services was made by Lisa Hobbs and seconded by Robin Wagner.

7 Ayes 0 Nays Motion carried.

Commissioner Steffanie Owens requested a transfer within the Cumulative Bridge Fund in the amount of \$50,000.00 from 60003 Bridge B-29 into 61002 2010-2012 Bridge Inspection. Motion to approve made by Lisa Hobbs and seconded by Robin Wagner.

7 Ayes 0 Nays Motion carried.

County Auditor, Jane Lyons, requested a transfer within the Plat Book Maintenance Fund in the amount of \$4,000.00 from 39000 Other Services and Charges into 15000 Part time. Motion to approve request made by Buddy Patterson and seconded by David McCartney.

7 Ayes 0 Nays Motion carried.

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County Agent, Gary Simmons, requested a transfer within the County Extension budget in the amount of \$1,300.00 from 32000 Communications and Transportation into 39100 Contractual Services. Motion to approve request made by Rick Gardner and seconded by David McCartney.

7 Ayes 0 Nays Motion carried.

County Treasurer, Kelly Gaskill, addressed the Council letting them know that she will be back at the May council meeting requesting additional appropriations to pay out two employees that are retiring.

Jerry Branson, ITS Director, requested out of state travel for a New World Public Safety Conference in Arizona on April 21st through April 23rd. Total cost of conference is \$2,657.60. Motion to approve request made by Rick Gardner and seconded by Lisa Hobbs.

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

Jim Wilson, Attorney for Steel Mart, presented the following Resolution No. 2013-R6, for approval. Motion to approve made by Robin Wagner and seconded by Lisa Phillips.

7 Ayes 0 Nays Motion carried.

RESOLUTION NUMBER 2013-R6
A CONFIRMATORY RESOLUTION DESIGNATING CERTAIN REAL ESTATE
WITHIN MADISON COUNTY, INDIANA AS AN ECONOMIC
REVITALIZATION AREA (ERA) PURSUANT TO I.C. 6-1.1-12.1 ET SEQ.

WHEREAS, the Madison County Council, has adopted Declaratory Resolution Number 2013- R-5, declaring certain real property or areas within its jurisdiction to be an Economic Revitalization Area pursuant to I.C. 6-1.1-12.1 et seq.; and,

WHEREAS, the Madison County Council has distributed copies of the said resolution to the county auditor, Alexandria Monroe School Corporation, Alexandria Monroe Public Library, township trustee, Indiana State Board of Accounts and East Central Indiana Solid Waste District and other affected taxing units for public inspection and comment; and has advertised and conducted a public hearing, pursuant to I.C. 5-3-1 and I.C. 6-1.1-12.1 et seq.; and,

NOW THEREFORE BE IT RESOLVED by the Madison County Council that the real estate or areas as described within Declaratory Resolution Number 2013 R-5 be hereby designated as an Economic Revitalization Area (ERA); and,

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BE IT FURTHER RESOLVED the Madison County Council determines the schedule for deductions from assessed valuation shall be over a period of ten (10) years, as permitted in I.C. 6-1.1-12.1 et seq. for the redevelopment, rehabilitation or other improvements to real property, and for new tangible business personal property (manufacturing equipment, research and development equipment, logistical and distribution equipment and information technology equipment); and,

BE IT FURTHER RESOLVED by the Madison County Council that a taxpayer approved for a deduction from assessed valuation for the redevelopment, rehabilitation or other improvements to real property, and for new tangible business personal property must submit annually, for the term of the deduction schedule(s), a completed Compliance with Statements of Benefits Form (Indiana Department of Local Government Finance prescribed CF-1 Form) to the Madison County Council, and said CF-1 Form must be approved by the Madison County Council in order for the taxpayer to receive the deduction from assessed valuation.

BE IT HEREBY RESOLVED THIS 9th DAY OF April, 2013.

MADISON COUNTY COUNCIL

Jordan Bostic
President

ATTEST:

Jane E Lyons
Jane Lyons, Madison County Auditor

Lisa Phillips

Buddy E. Gattuso

Rick La J

Rolin Wagner

[Signature]

Lisa Phillips

Jerry Bridges, COG Director and Pete Huerer, City of Anderson, discussed the importance in bringing back the Wheel Tax/Surtax for Madison County. Several public comments were allowed.

Larry Davis, County Assessor, reported to the Council that he has received several proposals for Assessing Services for Commercial properties in Madison County. He is asking if a representative from the Council will sit in on the interviews with each of these companies. Councilwoman Lisa Phillips volunteered to sit in on the interviews.

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Mr. Davis also requested permission for out of state travel for a conference in June. Councilman Bostic asked Mr. Davis to come back at the May meeting and turn in a request form and be added to the agenda.

Motion was made by Lisa Hobbs and seconded by Robin Wagner to ban cell phones from the Council bench during a meeting. 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.

Attorney Fred Spencer came to the Council requesting they take care of the pay outs of the past employees of the Prosecutor's office instead of continuing the lawsuit he filed against the County for the payments. Council Attorney, Tom Beeman, stated to the Council that they should not discuss anything concerning this litigation at an open meeting. President Bostic asked Mr. Beeman if he would talk with the County Attorney, Jim Wilson about the litigation and report back to them.

Council President John Bostic stated that the Council met in an Executive Session on this day, April 9, 2013 at 4:30 p.m. to only discuss the ongoing litigation with between the County Council and the County Commissioners.

Motion was made by Lisa Phillips and seconded by Lisa Hobbs to dismiss the litigation with the Commissioners. She stated that the Commissioners have already signed off on a dismissal.

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Motion was made by Rick Gardner to modify the original motion and table the dismissal of the law suit and seconded by David McCartney. A roll call vote was taken on the table:

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

2 Ayes 5 Nays Motion failed.

Rick Gardner made the following motion:

“To have the Prosecutor investigate and or prosecute per IC 36-2-6-12(c), which states, individual officeholders are liable to reimburse county treasury for any damages that incur by improper transfers, causing the County to spend money that was not appropriated is a class B misdemeanor”.

A roll call vote was taken on the original motion to dismiss the lawsuit:

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

5 Ayes 2 Nays Motion carried.

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Said motion was 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.

The next regular scheduled meeting is set for Tuesday, May 14, 2013 at 5:00 p.m.

There being no further business the meeting was adjourned.