

April 7, 2009

Commissioners met on this day with the following members present: Paul Wilson, and Jeff Hardin. John Richwine was on vacation. Also present were County Attorney Jerry Shine, County Auditor Kathy Stoops-Wright, Deputy Auditor Jane Lyons and Commissioners Office Manager Linda Smith.

IN THE MATTER OF APPROVAL OF MINUTES

Commissioners approved the March 3, 2009, March 17, 2009 and March 24, 2009 minutes with corrections on the March 3rd meeting upon motions made by Paul Wilson and seconded by Jeff Hardin. Motion carried.

IN THE MATTER OF HMLS SUB-GRANT AGREEMENT FOR GIS

CR Brown, Emergency Management Director, came before the Commissioners with a Homeland Security Sub-Grant Agreement for GIS. Said grant is for an amount not to exceed \$14,894.00 and run for three years. The grant is charges for hosting WebGIS to be updated by EMA. Motion to approve said Agreement made by Jeff Hardin and seconded by Paul Wilson. Motion carried.

IN THE MATTER OF HMLS SUB-GRANT AGREEMENT FOR RADIO AMATEUR CIVIL EMERGENCY SERVICES

CR Brown, Emergency Management Director, came before the Commissioners with a Homeland Security Sub-Grant Agreement for Radio Amateur Civil Emergency Services (RACES Interoperability). Said grant is for an amount not to exceed \$1,148.54 and run for three years. The grant is for Interoperable Communications Equipment. Motion to approve said Agreement made by Jeff Hardin and seconded by Paul Wilson. Motion carried.

IN THE MATTER OF COMMISSIONERS APPOINTMENT TO THE INDIANA DEPARTMENT OF HMLS DISTRICT 6 PLANNING COUNCIL

CR Brown, EMA Director, and Doug Maiwar from District 6, informed the Commissioners that they get to appoint one person to the District 6 Planning Council. The Director of EMA is automatically a member and the City of Anderson appointed Mark Heck. He has a letter of recommendation from Health Dept Director, Steve Ford, for Stephanie Grimes to set on that Board. She has been already very active with the Council. They agree with that recommendation. They stated that the length of the appointment is entirely up to the Commissioners. Motion was made by Paul Wilson to appoint Stephanie Grimes to the District 6 Planning Council for a term to run until the next annual Commissioners reorganization meeting in January. Motion seconded by Jeff Hardin. Motion carried.

They also requested that the Commissioners appoint a proxy to attend the meetings. Commissioner Richwine already has attended some of those meetings.

April 7, 2009

IN THE MATTER OF REQUEST FOR TRANSFER OF REAL ESTATE TO THE CITY OF ANDERSON

County Attorney, Jerry Shine stated that he would be meeting with the City of Anderson on Tuesday and then again on Thursday to discuss this matter further, then he will report to the Commissioners what the next step will be. Motion to continue request made by Paul Wilson and seconded by Jeff Hardin. Motion carried.

IN THE MATTER OF PROPOSALS FOR THE 2011 REASSESSMENT

County Assessor, Cheryl Heath, came before the Board of Commissioners with one proposal for the 2011 Reassessment. Only one proposal was received from PSC Associates, Muncie, IN, in the amount of \$665,797.31 running for a 3 year contract. Commissioner Wilson stated that he was not satisfied with only one vendor responding to the advertisement and asked the Assessor to advertise again in more than local newspapers for a longer period of time so more vendors might respond. Then asked the Assessor to come back before the Commissioners with whatever was received. According to the Assessor they have a time limit according to the DLGF as to when a contract must be signed for a Reassessment. Commissioner Wilson stated that they will work with them in making that deadline. Motion was made by Paul Wilson and seconded by Jeff Hardin to not sign any contract at this time. Motion carried.

IN THE MATTER OF NEW FMLA GUIDELINES

Human Resources Director, Shawn Swindell, presented the following Ordinance No. 2008-BC-O-03, Ordinance Amending the County of Madison, Indiana Personnel Policy Handbook, Amending Ordinance #1994-BC-O-12 and 2003-BC-O-13. Said Ordinance is to update the new FMLA guidelines that went into effect 1-16-09. Motion to approve Ordinance and changes made by Paul Wilson and seconded by Jeff Hardin. Motion carried.

ORDINANCE NO. 2009-BC-O-03

MADISON COUNTY BOARD OF COMMISSIONERS

**ORDINANCE AMENDING THE COUNTY OF MADISON, INDIANA
PERSONNEL POLICY HANDBOOK, AMENDING ORDINANCE
#1994-BC-O-12 AND 2003-BC-O-13**

WHEREAS, the County of Madison, Indiana is an Equal Opportunity Employer;
and

WHEREAS it is the intent of the County of Madison, Indiana to comply with applicable federal and State of Indiana employment laws and regulations; and

WHEREAS the County of Madison, Indiana provides Madison County employees with information about established terms and conditions of employment and employee benefits; and

WHEREAS the County of Madison, Indiana desires to update and revise their Madison County Personnel Policy Handbook adopted under Madison County Ordinance No. 2003-BC-13 as amended, and

WHEREAS the United States Department of Labor (DOL) released final regulations implementing revised regulations of the Family and Medical Leave Act (FMLA) effective on January 16, 2009.

NOW, THEREFORE BE IT ORDAINED AND ESTABLISHED BY THE COUNTY OF MADISON, INDIANA BOARD OF COMMISSIONERS THAT:

SECTION 1: The attached FMLA policy is hereby adopted this 7th day of April, 2009; and shall be in full force and effect upon adoption, and shall supersede and repeal existing oral or written FMLA policies and procedures.

SECTION 2: Indemnification: In the event that an elected official, department head, or designated supervisor becomes a defendant, either in his/her capacity, or individually in any litigation arising out of the administration of this FMLA policy, the County and/or its insurers shall defend the elected official, department head, or designated supervisor in that action, and pay any judgment entered in the action provided by the County, so long as the elected official, department head, or designated supervisor has made a good faith effort to comply with the terms and conditions set out in the FMLA policy.

SECTION 3: Severability: If any part of this FMLA policy shall be held invalid by operation of law or tribunal of competent jurisdiction, or compliance with or enforcement of any part of the FMLA policy shall be restrained by such tribunal, the remainder of this FMLA policy shall not be affected and shall remain in full force and effect.

PASSED AND ENACTED by the Board of Commissioners of Madison County, Indiana this 7th day of April, 2009.

April 7, 2009

IN THE MATTER OF MAINTENANCE AGREEMENT WITH MILLER HUGGINS

Commissioners entered a Maintenance Agreement with Miller Huggins for the copy machine located in the Commissioners Office. Said Agreement is in the amount of \$895.00 for one year. Motion to approve made by Jeff Hardin and seconded by Paul Wilson. Motion carried.

IN THE MATTER OF BOND RENEWAL FOR CORONER

Commissioners approved the Bond Renewal for the Madison County Coroner, Ned Dunnichay in the amount of \$8,500.00. Motion to approve made by Paul Wilson and seconded by Jeff Hardin. Motion carried.

IN THE MATTER OF RESOLUTION NO. 2009-BC-R-02, RESOLUTION DECLARING STORM WATER AWARENESS MONTH THROUGHOUT MADISON COUNTY

Commissioners approved the following Resolution upon motions made by Paul Wilson and seconded by Jeff Hardin. Motion carried.

RESOLUTION NO. 2009-BC-R-02_

RESOLUTION DECLARING STORM WATER AWARENESS MONTH THROUGHOUT MADISON COUNTY

WHEREAS, Madison County believes that citizen awareness of storm water issues is important to the protection of public health, existing water uses, and aquatic biota; and,

WHEREAS, A Memorandum of Understanding (MOU) has been signed by the City of Alexandria, the City of Anderson, the Town of Chesterfield, the Town of Edgewood, the Town of Ingalls, Madison County, Madison County SWCD, and the Town of Pendleton requiring a resolution declaring April to be Storm Water Awareness Month in Madison County.

NOW THEREFORE the following is duly RESOLVED:

1. The month of April is hereby deemed Storm Water Awareness Month throughout Madison County.

DULY PASSED AND ADOPTED BY THE FOLLOWING VOTE OF THE MEMBERS OF SAID BOARD OF COMMISSIONERS OF MADISON COUNTY, INDIANA, THIS 7th DAY OF APRIL, 2009.

ATTEST:

MADISON COUNTY BOARD OF COMMISSIONERS

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

S/Paul Wilson
Paul F. Wilson, President

Prepared by:

S/Jeff Hardin
Jeffrey L. Hardin, Member

Gerald P. Shine Jr. /#297-48
Madison County Attorney

John M. Richwine, Member

**IN THE MATTER OF ORDINANCE NO 2009-BC-O-06, ORDINANCE
ESTABLISHING THE COUNTY WHEEL TAX/SURTAX FUND**

In 2008 the Madison County Council approved the collection of Wheel Tax and Surtax money to be used for repair of roads and streets throughout Madison County. To be able to keep the tax collected in a separate fund, the Commissioners passed Ordinance No. 2009-BC-O-06, An Ordinance Establishing the County Wheel Tax/Surtax Fund. Motion to approve said Ordinance made by Jeff Hardin and seconded by Paul Wilson. Motion carried.

ORDINANCE NO. 2009-BC-O-06
ORDINANCE ESTABLISHING COUNTY WHEEL TAX / SURTAX FUND OF
MADISON COUNTY

WHEREAS, Madison County has adopted a Wheel Tax Motor Vehicle Excise Surtax Ordinance which provides among other things, certain moneys to be collected and distributed to Madison County and used only to construct, reconstruct, repair or maintain streets, roads and bridges under their jurisdiction or as a contribution to an authority established under I.C. 36-7-23; and

WHEREAS, the Madison County Commissioners are responsible for the construction and maintenance of local roads, streets and bridges;

NOW THEREFORE, BE IT ORDAINED and there is hereby established a County Wheel Tax / Surtax Fund;

BE IT FURTHER ORDAINED that the moneys distributed to the County pursuant to I.C. 8-14-2-4 be deposited into such fund and all expenditures incurred in the carrying out of the purpose of the ordinances be paid therefrom;

BE IT FURTHER ORDAINED that the fund be a non-reverting fund and any balance remaining in said fund at the end of the fiscal year shall be carried over in the fund for the following year and does not revert to the general fund.

That this Ordinance be in full force and effect from and after its passage and legal publication.

PASSED AND ENACTED by the Board of Commissioners of Madison County, Indiana this 7th day of April, 2009.

MADISON COUNTY BOARD OF COMMISSIONERS

BY: S/Paul Wilson
PAUL F. WILSON, PRESIDENT

S/Jeffrey Hardin
JEFFREY L. HARDIN, MEMBER

JOHN M. RICHWINE, MEMBER

ATTEST:

S/Kathy Stoops-Wright
KATHY STOOPS-WRIGHT, County Auditor

Prepared by: Gerald P. Shine, Jr., Madison County Attorney, No. 297-48
16 East 9th Street, Anderson, IN 46016 (765)641-4653

**IN THE MATTER OF ORDINANCE NO 2009-BC-O-04, ORDINANCE
ESTABLISHING A THREE WAY STOP INTERSECTION**

Highway Engineer presented the following Ordinance No 2009-BC-04, Ordinance Establishing a Three Way Stop Intersection. Commissioner approved said Ordinance upon motions made by Jeff Hardin and seconded by Paul Wilson. Motion carried.

April 7, 2009

ORDINANCE 2009-BC-O-04

ORDINANCE ESTABLISHING A THREE (3) WAY STOP INTERSECTION

WHEREAS, the Board of Commissioners of Madison County, Indiana has determined it to be in the best interest and safety of Madison County and the citizens thereof for the establishment of a three (3) way stop intersection at the intersection of County Road 400 South and County Road 500 East, Madison County, Indiana.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF MADISON COUNTY, INDIANA:

Section 1. That the intersection of County Road 400 South and County Road 500 East, Madison County, Indiana, be and is hereby established and designated as a three (3) way stop intersection.

Section 2. That this ordinance be in full force and is effect from and after its passage and legal publication.

PASSES AND ENACTED by the Board of Commissioners of Madison County, Indiana, this 7th day of April, 2009.

Madison County Board of Commissioners

S/Paul Wilson
Paul F. Wilson, President

S/Jeffrey Hardin
Jeffrey L. Hardin

John M. Richwine

ATTEST:

S/.Kathy Stoops-Wright
Kathy Stoops-Wright, Auditor

Publish: Anderson Herald Bulletin
Elwood Call Leader

April 17, 2009
April 24, 2009

April 7, 2009

IN THE MATTER OF AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009

Highway Engineer, Chuck Leser, recommends to the Commissioners to approve an Engineering contract for the American Recovery and Reinvestment Act of 2009 for the design of resurfacing various roads in Madison County. United Consulting Engineers, Inc. is the consultant. It is an hourly contract not to exceed \$50,000.00. Motion to approve as recommended made by Paul Wilson and seconded by Jeff Hardin. Motion carried.

IN THE MATTER OF ORDINANCE NO. 2009-BC-0-05, ORDINANCE ESTABLISHING MADISON COUNTY SPEED LIMITS AMENDING ORDINANCE NO 2002-BC-O-11

Highway Engineer presented the following Ordinance No 2009-BC-05, Ordinance Establishing Madison County Speed Limits Amending Ordinance No. 2002-BC-O-11. Commissioner approved said Ordinance upon motions made by Jeff Hardin and seconded by Paul Wilson. Motion carried.

AMENDING ORDINANCE NO. 2009-BC-O-__05__

ORDINANCE ESTABLISHING MADSION COUNTY SPEED LIMITS AMENDING ORDINANCE NO. 2002-BC-O-11

WHEREAS, the Board of Commissioners of Madison County, Indiana has determined it to be in the best interest and safety of Madison County and the citizens thereof for the establishment of speed limits along certain County Roads in Madison County, Indiana; and

WHEREAS, the Board of Commissioners of Madison County, Indiana did on the 3rd day of September, 2002, enact Ordinance No. 2002-BC-O-11 establishing various speed limits in Madison County, Indiana; and

WHEREAS, the Board of Commissioners of Madison County, Indiana has enacted Ordinances establishing additional various speed limits in Madison County, Indiana; and

WHEREAS, the Board of Commissioners of Madison County, Indiana has determined that it would be in the best interest and safety of Madison County and the citizens thereof to amend said Ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF MADISON COUNTY, INDIANA:

1. That the various County Roads at the designated locations thereof be and are hereby

established and designated a certain speed limit as follows:

Road	Location	Speed Limit
Trillium Woods	All Streets	20 MPH

2. All provisions of Ordinance No. 2002-BC-O-11, as amended, not modified herein shall remain in full force and effect.

3. That this Amending Ordinance be in full force and effect from and after its passage and legal publication.

PASSED AND ENACTED by the Board of Commissioners of Madison County, Indiana, this 7th day of April, 2009

**MADISON COUNTY BOARD
OF
COMMISSIONERS**

By: S/Paul
Wilson
Paul F. Wilson, President

S/Jeff
Hardin
Jeffrey L. Hardin

John M. Richwine

ATTEST:

S/Kathy Stoops-Wright
Kathy Stoops-Wright, Auditor

Publish: Anderson
Herald Bulletin
Elwood
Call
Leader

April 17,
2009
April 24,

2009

April 7, 2009

IN THE MATTER OF APPROVAL OF DRIVEWAY PERMITS

Commissioners approve the following Driveway Permits upon the recommendation of Highway Engineer, Chuck Leser. Motion to approve made by Paul Wilson and seconded by Jeff Hardin. Motion carried.

D09-03	Smith Projects Inc	Hickory Hills Est L 92	Fall Creek
D09-04	James H Dunham	1700N, 458 ft E of 350E, S Sd	Van Buren
D09-05	Neal J Alexander	100N, bet 800W & 900W, E Sd	Jackson

IN THE MATTER OF APPROVAL OF UTILITY PERMITS

Commissioners approve the following Utility Permits upon the recommendation of Highway Engineer, Chuck Leser. Motion to approve made by Paul Wilson and seconded by Jeff Hardin. Motion carried.

U09-3	Vectren Energy	500W at Lafayette St	Lafayette
U09-4	Vectren Energy	850N 1040 ft W of 575W	Pipe Creek
U09-5	Vectren Energy	900N 525 ft W of 675W	Pipe Creek
U09-6	Vectren Energy	700W 1350 ft S of 1000N	Pipe Creek
U09-7	Vectren Energy	1000 N 1300 ft W of 700W	Pipe Creek
U09-8	Vectren Energy	775W 2100 ft S of 1100 N	Pipe Creek

IN THE MATTER OF COMMISSIONERS APPOINTMENT

Commissioners reappointed Rosalee Bernard to serve as a member of the Madison County Community Justice Advisory Board for the term of 3 years running from April 1, 2009 to April 1, 2012. Motion to approve appointment made by Paul Wilson and seconded by Jeff Hardin. Motion carried.

IN THE MATTER OF RESIGNATION OF TOM HULSE FROM PUBLIC DEFENDER BOARD

Commissioners received a resignation from Tom Hulse resigning from the Public Defender Board. Motion was made by Jeff Hardin and seconded by Paul Wilson to accept said resignation. Motion carried.

A special Commissioners meeting has been set for Monday, April 13, 2009 at 10:00 a.m.

The next regular scheduled Commissioners meeting will be on April 21st at 10:00 a.m.

April 7, 2009

There being no further business the meeting was adjourned.

BOARD OF COMMISSIONERS
