

May 17, 2011

Commissioners met on this day with the following members present: John Richwine, Steffanie Owens and Jeff Hardin. Also present were County Attorney Jerry Shine, County Auditor Kathy Stoops-Wright and Commissioners Office Manager Linda Smith.

IN THE MATTER OF APPROVAL OF MINUTES

Commissioners approved the minutes for April 19, 2011 and May 2, 2011 upon motions made by Steffanie Owens and seconded by John Richwine. Motion carried unanimously.

**IN THE MATTER OF APPROVAL OF EON WIND DEVELOPMENT AKA, WILDCAT WIND FARM, PROPOSED ECONOMIC DEVELOPMENT AGREEMENT
RESOLUTION NO. 2011-BC-R-09**

Mary Solada, Attorney with Bingham & McHale, presented an Economic Development Agreement proposing a 90 to 110 megawatt wind farm development in an area North of Elwood, Indiana on approximately 50 parcels that EON has on lease with the property owners. It is a three county development in Madison, Tipton and in Grant County in a future phase. Ground breaking should be later this year or beginning of next year and take approximately 9 months to complete. Job fairs will be held for the 150 job openings this will generate. For this project to work they will need to obtain a 10 year tax abatement from the County Council. Also, they will be making payments to the County totaling \$1.2 million over a period of 4 years, \$300,000/year. The first payment will be due at the time of the ground breaking of the project. Also reimbursement to the County for legal costs and advisor costs in the amount of \$65,000.00. They will also have a Road Use Agreement to improve the roads around the project.

EON attended the May 2011 Council meeting about the tax abatement, had a 5 to 1 vote to continue the process. They will be returning to the June 2011 meeting for final approval of abatement. The County Council did approve **Resolution 2011-R-1**, A Preliminary Economic Revitalization Area Resolution.

They are requesting today that the Commissioners approve **RESOLUTION NO. 2011-BC-R-09**, A Resolution of the Board of Commissioners of Madison County, Indiana Approving an Economic Development Agreement with Wildcat Wind Farm I, LLC and Certain Other Matters in Connection Therewith. Motion to approve Resolution made by Steffanie Owens and seconded by Jeff Hardin. A roll call vote was taken:

Owens – aye
Hardin – aye
Richwine – aye

Motion carried unanimously.

RESOLUTION NO. 2011-BC-R-09

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF MADISON COUNTY, INDIANA APPROVING AN ECONOMIC DEVELOPMENT AGREEMENT WITH WILDCAT WIND FARM I, LLC AND CERTAIN OTHER MATTERS IN CONNECTION THEREWITH

WHEREAS, the Board of Commissioners of the Madison County, Indiana (the "Board") desires to benefit the health and general welfare of the citizens of Madison County, Indiana (the "County") and create opportunities for gainful employment and business opportunities within the County; and

WHEREAS, Wildcat Wind Farm I, LLC (the "Company") is contemplating the development and construction of the first phase of a wind-powered electric generating facility in the County, which will have a rated capacity of approximately 90 to 110 megawatts (the "Project"); and

WHEREAS, in the completion of the Project, the Company will invest approximately One Hundred Seventy-Five Million Dollars (\$175,000,000) in equipment and real estate improvements in the County and create approximately four to six permanent jobs; and

WHEREAS, the Company has requested assistance with the completion of certain road improvements, assistance with zoning approvals and permits, the approval of tax abatement, and other assistance from the County with respect to the Project; and

WHEREAS, to induce the Company to complete the Project, the Board desires to approve the execution of an Economic Development Agreement, between the County and the Company, a form of which has been presented to the Board on the date hereof (the "Economic Development Agreement"), pursuant to which certain incentives will be provided to Company in exchange for its commitment to complete the Project, to make certain economic development payments, and to take certain other actions with respect to the Project; and

WHEREAS, the Board desires to approve the execution of an Agreement for Use of Roads and Drainage Agreement, between the County and the Company, a form of which has been presented to the Board on the date hereof (the "Use Agreement"), pursuant to which the County agrees to provide the use of certain roads to the Company and the Company agrees to repair and improve such roads and certain drainage improvements in the County.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Madison County, Indiana, that:

1. The Board hereby finds that the execution and delivery of the Economic Development Agreement are in the best interests of the County and its citizens. The Board is authorized and directed to execute the Economic Development Agreement, in the name and on behalf of the County, and the Auditor of the County is hereby authorized and directed to attest the execution of such agreement, with such changes and modifications as such persons deem

necessary or appropriate to effectuate this Resolution, said persons' execution thereof to be conclusive evidence of the approval of such changes.

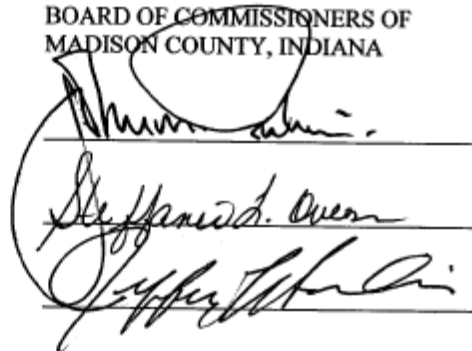
2. The Board hereby finds that the execution and delivery of the Use Agreement are in the best interests of the County and its citizens. The Board is authorized and directed to execute the Use Agreement, in the name and on behalf of the County, and the Auditor of the County is hereby authorized and directed to attest the execution of such agreement, with such changes and modifications as such persons deem necessary or appropriate to effectuate this Resolution, said persons' execution thereof to be conclusive evidence of the approval of such changes.

3. The members of the Board, the County Council, the Auditor of the County, the legal counsel of the County, and other appropriate officers of the County are hereby authorized to take all such actions and execute all such instruments as are necessary or desirable to effectuate this Resolution.

4. This resolution shall be in full force and effect from and after its adoption.

DULY ADOPTED on this 17th day of May, 2011, by the Board of Commissioners of Madison County, Indiana.

BOARD OF COMMISSIONERS OF
MADISON COUNTY, INDIANA



Three handwritten signatures of Board of Commissioners members, each on a horizontal line.

ATTEST:



Handwritten signature of Kody Stoghs-Wright, Madison County Auditor.

Madison County Auditor

May 17, 2011

IN THE MATTER OF APPROVAL OF ANNUAL REPORT OF THE BOARD OF COMMISSIONERS OF MADISON COUNTY TO THE STATE SUPERINTENDENT OF PUBLIC INSTRUCTION FOR YEAR ENDING APRIL 30, 2011

Commissioner Richwine made a motion to enter the Annual Report to the State Superintendent of Public Instruction into the minutes. Motion seconded by Jeff Hardin. Motion carried.

IN THE MATTER OF APPROVAL OF ADDENDUM TO CONTRACT FOR 2011 REASSESSMENT MAINTENANCE AND TECHNICAL SERVICES WITH PSC ASSOCIATES, LLC

County Assessor, Larry Davis, asked the Board of Commissioners to approve an Addendum to the original contract with PSC Associates, LLC., for the 2011 Reassessment but the 2011 Reassessment which has been delayed for a year to 2012 pay 2013, therefore, an additional year of Annual Assessment Updates is necessary. Motion to approve made by John Richwine and seconded by Jeff Hardin. Motion carried.

IN THE MATTER OF SRI CONTRACT FOR A LIVE COMMISSIONERS CERTIFICATE SALE

Commissioners approved three addendums concerning Tax Sale Contracts with SRI, Inc. One for a live Commissioners Certificate Sale on August 3, 2011 at 10:00 a.m., limited to 200 properties. Said sale will be at the Anderson City Auditorium on that date, one for the Commissioners Tax Deed Sale and one for the Internet Deed Sale Services. Motion to approve made by John Richwine and seconded by Jeff Hardin. Motion carried.

Commissions also approved a contract with SRI for the annual fall Tax Sale. Motion to approve made by John Richwine and seconded by Jeff Hardin. Motion carried.

IN THE MATTER OF APPROVING RESOLUTION NO. 2011-BC-R-08, ESTABLISHING A CUMULATIVE BRIDGE FUND FOR MADISON COUNTY, INDIANA, UNDER I.C. 8-16-3-1 ET.SEQ.

Due to failure to advertise for the Public Hearing previously for Resolution No. 2011-BC-R-08, Commissioners hold the public hearing on this date and approve Resolution No. 2011-BC-R-08, Establishing a Cumulative Bridge Fund for Madison County, Indiana. Motion to approve made by John Richwine and seconded by Steffanie Owens. Motion carried.

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**ESTABLISHING A CUMULATIVE BRIDGE FUND
FOR MADISON COUNTY, INDIANA,
UNDER I.C. § 8-16-3-1 ET. SEQ.**

BE IT RESOLVED by the Board of Commissioners of Madison County, Indiana, that a need now exists for the establishment of a cumulative bridge fund for the following purposes:


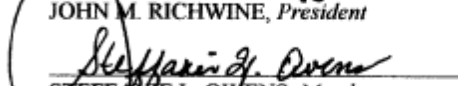
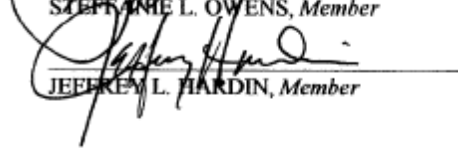
Construction and replacement and repair of bridges within Madison County, Indiana

BE IT FURTHER RESOLVED that this Board will adhere to the provisions of *Indiana Code §8-16-3-1, et seq.* The proposed fund will not exceed a levy of .10 cents on each One Hundred Dollars (\$100.00) of assessed valuation. Said tax rate will be levied beginning with taxes for 2011 payable in 2012.

BE IT FURTHER RESOLVED that proof of publication of the public hearing held on the 19th day of April, 2011, and a certified copy of this Resolution be submitted to the Department of Local Government Finance for the State of Indiana as provided by law. Said cumulated fund is subject to the approval of the Department of Local Government Finance.

DULY ADOPTED BY THE FOLLOWING VOTE OF THE MEMBERS OF SAID BOARD OF COMMISSIONERS OF MADISON COUNTY, INDIANA, THIS 19th DAY OF April, 2011.

MADISON COUNTY BOARD OF COMMISSIONERS

BY: 
JOHN M. RICHWINE, *President*

STEPHANIE L. OWENS, *Member*

JEFFREY L. HARDIN, *Member*

ATTEST:


Kathy Stoops-Wright, *County Auditor*

PREPARED BY:
Gerald P. Shine, Jr. (#297-48)
Madison County Attorney

May 17, 2011

**IN THE MATTER OF APPROVAL OF ORDINANCE NO. 2011-BC-O-05, AN
ORDINANCE AUTHORIZING COLLECTION OF FEES BY THE CLERK OF
MADISON COUNTY**

Commissioners approved Ordinance No. 2011-BC-O-05, An Ordinance Authorizing Collection of Fees By The Clerk of Madison County. Motion to approve made by John Richwine and seconded by Steffanie Owens. Motion carried.

**ORDINANCE NO. 2011-BC- 5
OF THE BOARD OF COMMISSIONERS
OF MADISON COUNTY, INDIANA**

**AN ORDINANCE AUTHORIZING COLLECTION OF FEES BY THE
CLERK OF MADISON COUNTY**

WHEREAS, IC 33-37-5-1 authorizes the Clerk of the Courts to establish certain fees for the copy of any record including child support printouts and

WHEREAS, the Commissioners of Madison County, upon the recommendation of the Madison County Clerk deem it necessary to establish a fee be collected by the Madison County Clerk and deposited into the General Fund.


NOW, THEREFORE, BE IT ORDAINED that the Madison County Clerk shall establish a copy fee of \$.25 per side per page for a child support computer printout page and the sum of \$1.00 per side, per page for all other transcripts or copy of record including a page partially covered by print. The Clerk is further authorized to charge the sum of \$1.00 for certification if requested.

This ordinance shall be in full force and effect upon the passage and publication as provided by law.

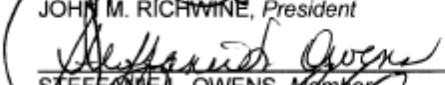
PASSED AND ENACTED BY THE BOARD OF COMMISSIONERS OF MADISON COUNTY, INDIANA THIS 17th DAY OF MAY, 2011.

MADISON COUNTY BOARD OF COMMISSIONERS

BY:



JOHN M. RICHWINE, *President*



STEFFANIE L. OWENS, *Member*



JEFFREY L. HARDIN, *Member*

ATTEST:



KATHY STOOPS-WRIGHT, *County Auditor*

KATHY STOOPS-WRIGHT, *County Auditor*

May 17, 2011

IN THE MATTER OF APPROVAL OF TRAM FARE INCREASE

Jerry Bridges, COG, presented a fare increase for TRAM for approval by the Commissioners, Anyone ages 59 or younger will pay \$4.00/trip, 60 or older will pay \$2.50/trip. Passes will go up to \$25.00 for seniors per month and \$33.00 for anyone else. Motion to approve increase made by John Richwine and seconded by Jeff Hardin. Motion carried.

IN THE MATTER OF INDOT FA-3 FUNDING APPLICATION FOR MADISON COUNTY ROAD 300 EAST

Commissioners approved the INDOT FA-3 Funding Application for Madison CR 300 E, US 36 to CR 600 S. Motion to approve made by Steffanie Owens and seconded by John Richwine. Motion carried.

IN THE MATTER OF FORM IC-639 PROJECT ACCEPTANCE FOR SEVERAL COUNTY ROADS

Commissioners approved Form IC-639, Project Acceptance from the IDOT ARRA of 2009 for the following County Roads:

- CR 100 West from SR 128 to CR 1100 North
- CR 1100 North from CR 200 W to CR 100 W
- CR 1100 North from SR 9 to CR 100 E
- CR 50 West from SR 38 to I-69
- New Columbus Ave. from CR 600 S to CR 400 S

Motion to approve made by John Richwine and seconded by Jeff Hardin. Motion carried.

IN THE MATTER OF APPROVAL OF DRIVEWAY PERMITS

Commissioners approved the following Driveway Permits upon motions made by Steffanie Owens and seconded by Jeff Hardin. Motion carried.

D11-10	Mark & Lori Williams	200S, ½ mi W of 400W, S sd	Stony Cr
D11-13	Rod Holloway Homes	300W, 1/8 mi S of 1000S, W sd	Fall Cr

IN THE MATTER OF APPROVAL OF UTILITY PERMITS

Commissioners approved the following Utility Permits upon motions made by Steffanie Owens and seconded by Jeff Hardin. Motion carried.

U11-12	Vectren	N sd of 200N bet 300E & 400 E	Union
U11-13	Nine Star Conn	8416 W Fall Creek Dr	Green
U11-14	Daystar Drilling	2700 N 100 W	Lafayette
U11-15	Long & Koffer, Inc	6732 W 200 S	Stony Cr
U11-16	Fall Cr Reg Waste	Across 1000S & on E Sd of Durbin Ln	Green

May 17, 2011

IN THE MATTER OF PRESENTATION OF OPTIONS FOR UPGRADE TO AUDIO-VISUAL SYSTEM AND COST SHARING PLAN FOR COMMISSIONERS COURTROOM

Lisa Phillips, ITS, presented some recommendations to the Commissioners for the Multimedia Project for the Commissioners Courtroom upgrade. The estimated cost will be \$9,509.16. Motion was made by John Richwine to have the ITS Department proceed with the upgrade and purchase of equipment. Motion seconded by Steffanie Owens. Motion carried.

IN THE MATTER OF VETERANS OFFICE UPDATE

Jay Randolph, Veterans Officer, gave a brief update to the Commissioners of some upcoming events.

- The Veterans Office will be closed between June 6 and June 10 due to conference.
- New Law passed giving veterans a code on their drivers license for discounts.
- State payments will only be by Debit Cards soon, no cks issued.
- Memorial Day there will be several programs. On the Truman Bridge, at the Crystal Arch and at Memorial Park with the Boy Scouts.

IN THE MATTER OF PRESENTATION FROM A RETIRED TELEPHONE MAN

Jim Walters gave a presentation on his company called A Retired Telephone Man Company. He gave a quotation for repair work at the Veterans Office and Health Department. Motion was made by John Richwine to accept the quote. Motion seconded by Steffanie Owens. Motion carried.

IN THE MATTER OF BOND RENEWAL FOR SHAWN SWINDELL

Linda Smith submitted a Bond Renewal for Shawn Swindell, Human Resources Director. Motion to approve made by Steffanie Owens and seconded by John Richwine. Motion carried.

Jerry Shine did some extensive research on bonds for elected officials and offices. Trying to determine who in the County really needs bonded and why the amounts fluctuate. He will report to the Commissioners and Council on what he discovers.

The next meeting is set for June 7, 2011 at 10:00 am.

There being no further business the meeting was adjourned.

BOARD OF COMMISSIONERS

