

COMMISSIONERS MINUTES OCTOBER 28, 2014

PRAYER

Roll Call.

Present: John Richwine, Steffanie Owens and Jeff Hardin.

Also Present: Assistant County Attorney Jeff Graham, County Auditor Jane Lyons and County Administrator Dan Dykes.



RESOLUTION NO 2014-BC-R-09,

Commissioner Richwine read the following Resolution:

RESOLUTION 2014-BC-0-09

A RESOLUTION TO TRANSFER A SURPLUS VEHICLE FROM MADISON COUNTY, INDIANA TO THE CITY OF ANDERSON, INDIANA, AND A RESOLUTION APPROVING THE TRANSFER OF PROPERTY

A resolution approving the transfer of property to another governmental entity under Indiana Code 36-1-11-8 should read as follows:

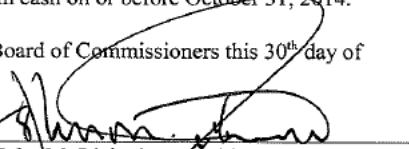
WHEREAS, Indiana code 35-1-11-8 provides that "A transfer or exchange of property may be made with a governmental entity upon terms and conditions agreed upon by the entities as evidenced by adoption of a substantially identical resolution by each entity. Such a transfer may be made for any amount of real property, cash, or other personal property, as agreed upon by the entities;" and,

WHEREAS, the City of Anderson is in need of a Vehicle to be utilized for mowing City property, and special events; and,

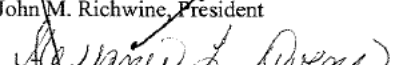
WHEREAS, the County of Madison, Indiana has agreed to transfer to the City of Anderson, a surplus 1990 Lowboy trailer VIN# LBT25250009001090, for One Dollar (\$1.00), payable on or before October 31, 2014.

NOW THEREFORE, BE IT RESOLVED by the Madison County Board of Commissioners that Madison County shall sell and transfer to the City of Anderson, a 1990 Lowboy trailer VIN# LBT25250009001090, for the total price of One Dollar (\$1.00) from the County of Madison, Indiana, said amount to be paid in cash on or before October 31, 2014.

Passed and adopted by the Madison County Board of Commissioners this 30th day of October 2014.



John M. Richwine, President



Steffanie L. Owens


Jeffrey L. Hardin

ATTEST:



Jane Lyons, Madison County Auditor

Motion: to approve, **Action:** Approve, **Moved by:** John Richwine, **Seconded by:** Steffanie Owens.
Motion passed unanimously.

 **RESOLUTION NO. 2014-BC-R-10, A RESOLUTION TO CANCEL AGREEMENT BETWEEN LOCAL 1963 AND MADISON COUNTY AND DISCONTINUE WITHHOLDING OF UNION DUES FROM NON-UNION DEPUTIES OF MADISON COUNTY OFFICIALS/JEFF GRAHAM.**

Assistant County Attorney Jeff Graham read the following Resolution:

RESOLUTION 2014-BC-R-10

A RESOLUTION TO CANCEL AGREEMENT BETWEEN LOCAL 1963 AND MADISON COUNTY AND DISCONTINUE WITHHOLDING OF UNION DUES FROM NON-UNION DEPUTIES OF MADISON COUNTY OFFICIALS

WHEREAS, back in August 2009, Madison County entered into an “Agreement Between Local 1963 (“UAW”) and Madison County Commissioners” (the “Contract”) to promote satisfactory relations between Madison County and its numerous employees, including the deputies working in the offices of Madison County’s elected officials; and

WHEREAS, pursuant to Article 20 of the Contract, the Contract would remain in effect until December 31, 2011, and would renew each year after, unless written notice was given by one of the parties to the Contract at least sixty (60) days prior to the Contract’s expiration date; and

WHEREAS, neither party has submitted written notice of termination of the Contract since its initial execution back in August 2009; and

WHEREAS, on January 1, 2013 the Grant County Superior Court ruled that the deputies of Madison County elected officials were not employees of the Madison County Commissioners and thus were not bound by the Contract; and

WHEREAS, on December 18, 2013 the Indiana Court of Appeals upheld the Grant County Superior Court’s ruling; and

WHEREAS, despite the January 1, 2013 Grant County Superior Court decision and the December 18, 2013 decision of the Indiana Court of Appeals, union dues are still be deducted from the paychecks of Madison County personnel that are no longer bound by the Contract; and

WHEREAS, the Madison County Commissioners believe the initial purpose of the Contract has been frustrated since, in light of the court decisions, so few employees are now bound by the Contract; and

WHEREAS, the Madison County Commissioners believe that dues should no longer be deducted from employees who are not bound by the Contract.

NOW THEREFORE, BE IT RESOLVED by the Madison County Board of Commissioners that the Agreement Between Local 1963 and Madison County Board of Commissioners be terminated, immediately, thus causing the Contract to expire January 1, 2015; and

BE IT FURTHER RESOLVED, that notice of this termination be mailed to appropriate Local and International UAW representatives; and

BE IT FURTHER RESOLVED, that effective this date, union dues shall not be withheld from the pay of employees except those employees still bound by the Contract until the Contract expires on January 1, 2015.

Passed and adopted by the Madison County Board of Commissioners this 28th day of October 2014.

MADISON COUNTY BOARD OF COMMISSIONERS

JOHN M. RICHWINE, President

STEFFANIE L. OWENS, Member

JEFFREY L. HARDIN, Member

ATTEST:

JANE LYONS, Auditor

JEFFREY K. GRAHAM/#26380-29
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Madison County Resolution Union 10-23-14/ab

Public Input: Major Brian Bell

UAW 1963 Vice President Mike Fisher

UAW 1963 Bargaining Chair Shonnie Daniels

UAW 1963 past President Trinna Davis

Ollie Dixon

Jackson Burns

Motion: to table Resolution No. 2014-BC-R-10 for further consideration until Friday, **Action:** Approve, **Moved by:** Steffanie Owens **Seconded by:** Jeff Hardin.
Motion passed unanimously.