

**GRANT COUNTY COUNCIL  
REGULAR SESSION  
January 20, 2016**

The Grant County Council met in regular session on Wednesday, January 20, 2016 at 6:00 p.m. in the Council Chambers.

**1. Call to order**

President McWhirt called the meeting to order at 6:01 p.m.

**2. Prayer**

Auditor Bainbridge led in prayer.

**3. Pledge of Allegiance**

Councilman Hix led the pledge of allegiance.

**4. Roll Call**

In attendance were Council members Jim McWhirt, Mike Scott, Shane Middlesworth and Mark Leming. Also present were Council Attorney Phil Stephenson, Auditor Roger Bainbridge, Chief Deputy Tammy Miller, Assistant Chief Deputy Chris Hancock, and Executive Secretary Sharon Kirkwood. Councilman Leming arrived at 6:16 p.m.

**5. Election of County Council Officers**

Jim McWhirt called for nominations of county council president and vice-president. Councilman Scott moved to nominate Jim McWhirt for president and Michael d. Conner for vice-president. Second by Councilman Middlesworth, there were no further nominations. The motion was unanimous.

**6. Approval of Minutes**

Councilman Middlesworth moved to approve regular session minutes of December 16, 2015 as presented. Second by Councilman Scott; motion carried 4-0.

**7. Auditor's Report**

Auditor Bainbridge reported on the Health Insurance Fund. Auditor Bainbridge, "The balance is just over \$1 million at the end of the year which is about \$435,000 less than last year. Last year reflects the same expense around \$400,000 in November and December." President McWhirt, "Last year we raised employee portions but kept the county portion the same so it will be a fund we will have to keep an eye on." Auditor Bainbridge stated the General Fund balance ends \$135,000 more which is 10% above last year's balance. President McWhirt stated there was about \$800,000 receipted into the fund from the Ineligible Homestead Fund. Auditor Bainbridge stated, "Yes there was, give some credit where credit is due." President McWhirt stated there was \$387,000 less than what was projected to be spent. Auditor Bainbridge, "It seems the admonition by the council to keep spending under control was effective." President McWhirt asked for an update on the State Board of Accounts audit. Auditor Bainbridge stated the Board of Accounts was wrapping things up for the 2014 audit.

**8. New Business**

**A. County Clerk – Replacement of Vacancy – General Fund**

Carolyn Mowery, Grant County Clerk, requested permission to fill a 1<sup>st</sup> Deputy Position in the Election Office. Clerk Mowery stated employee Bonnie Cartwright had been in charge of the election process and with her health failing it is unknown when her last day may be. The other employee resigned effective January 4<sup>th</sup> for a grand opportunity with Taylor University. With the upcoming presidential election there is a dire need for replacing the vacancy. Another employee, Stephanie Church, was hired in October of 2015 however she cannot handle the entire load of responsibilities for the election. The salary would be \$24,419 and would need filled immediately. Clerk Mowery also requested an additional appropriation \$4,869.22 for salaries to pay out Joyce Shaffer's earned time. President McWhirt stated the additional would have to wait until the Department of Local Government Finance (DLGF) approved the 2016 budgets.

President McWhirt stated that the council has discussed how important it is to prioritize filling vacancies due to the current financial situation of the county. So based on comments that were stated before this meeting to grant Clerk Mowery to fill the vacancy it needs to be understood that it is not a blanket approval for all of the requests.

Councilman Scott moved to approve filling the vacancy effective immediately with the rate of annual pay at \$24,419. Second by Councilman Middlesworth; motion carried 4-0.

Enter Councilman Leming at 6:16 p.m.

**B. County Health Department – Salary requests – Local Health Dept. Trust Fund**

Tara Street, Office Manager-Registrar, presented salary requests on behalf of Doctor Kennedy who was unable to attend. Manager Street requested the council to appropriate \$10,968 from the 1206 Indiana Local Health Department Trust Account to supplement the salaries of 3 positions in the Health Department. The Billing Specialist originally had secretarial duties but has progressed into daily report of collections/deposits, bookkeeping for the nursing division, billing insurance and private pay. The additional of \$3,696 includes benefits and would allow a salary of \$26,976. The second position is Office Manager/Registrar. Again the duties of the position have gone from just office manager to assisting the Registrar; manage 2 independent grants and Accreditation Coordinator. A vital records clerk is being trained with the hope of being fully certified by fall 2017. Until then all adoptions, home births, paternity affidavits, court orders and amendments are the sole responsibility of the Registrar. If approved the salary would be \$32,965 annually. The third position is Environmental Health Specialist – Environmental division. The duties of this position have changed as well. They have changed from septic regulation to meth house inspections/closings/cleanings, housing complaints of bug infestations, inspect and license all tattoo/body piercing establishments, regulate and inspect all public and semi-public pools. The annual salary would be \$31,828. Discussion ensued with the following motion.

Councilman Middlesworth moved to table the request until Doctor Kennedy could appear before the council for some questions. Second by Councilman Hix; there was no public input. Motion carried 5-0.

Manager Street also requested an appropriation in the 1206 ILHDTA Grant instead of the previously funded 1168 Local Health Maintenance Fund Grant. The amount was requested during budget time last year but has since been allowed to be paid from the other grant funds.

Councilman Scott moved to approve the additional appropriation from 1206 ILHDTA Grant in the amount of \$9,000 for salaries, \$690 for FICA and \$1,170 for Retirement being a total of \$10,860 with the same reductions from Fund 1168 Local Health Maintenance Fund Grant. Second by Councilman Middlesworth; there was no public input. Motion carried 5-0.

**C. County Highway Department – Replace Vacancy / Highway Fund, Wheel Tax Discussion**

David White, Grant County Highway Superintendent, requested permission to fill a garage foreman position. An employee retired in December leaving the position open. Currently one of the mechanics would like the job. The employee feels he can do both jobs for a while. The pay requested would be retroactive to January 1, 2016.

Councilman Middlesworth moved to approve filling the vacancy of Garage Foreman and not filling the Mechanic position as requested. Second by Councilman Leming; there was no public input. Motion carried 5-0.

**Wheel Tax Discussion**

Superintendent White, “There needs to be a slight sense of urgency in adopting a wheel tax for Grant County. The deadline is June 1<sup>st</sup> for the start of the ordinance. If that were so, the funds don’t become available until the following year. I have mixed emotions about it because I don’t want to pay another tax but I would like to do more road repair and paving. The funds generated can only go to road repairs. Really it will be 6-8 months into the year before any of the monies could be appropriated for spending. The estimate was only \$900,000 for the county. It will be based on your name and the license branch as to when it would be collected. The availability to appropriate and spend it is further down the calendar. I think the State will really penalize us for not having a Wheel Tax. In federal aid projects I think it will become a factor. For example the 600 East Project was a \$4 million dollar project and we had to pay 20%. The bridge out on 500 North is almost \$3 million dollars and we will pay 20%. One of the first questions they ask me is do you have a wheel tax. I’m afraid that in the future they are going to say that if you don’t have a wheel tax then you won’t get any federal aid. I talked with other commissioners at conference and they too felt that legislation was saying the same thing. They want something else out there to help the county out.” President McWhirt, “The wheel tax rates run from \$5 up to \$40. The surtax rates on non-passenger vehicles are from \$7.50 up to \$25 with legislation introduced of those being increased. On this study we could expect at maximum rates there would be roughly a million per year for the county. But if we do this tax it won’t have the impact that people think it will because the cost of road repair is expensive. The million would take care of 7 to 27 miles of road. The chip seal would cover 24 to 94 miles. I think the state has

expectations of us taking care of ourselves and I am not opposed to that. I think in today's climate we need to be prepared to do something soon. Does this affect the Tax Council?" Attorney Stephenson stated it would. Councilman Scott, "I don't like it. What are we going to give up to replace this one with? As we stand right now, Grant County is one of the highest taxed counties in the state. Unfortunately, like things in the past, I think we will be forced into it. Then any discussion will be like well they approved it at the local level. It's not our deal. They have tied our hands." Superintendent White stated, "It costs about \$60,000 per mile to pave. If we don't do something soon we are not going to be able to keep up maintaining them. The wheel tax has to be used for road work. It's for the person who uses it. Unless you have a vehicle you won't pay the tax. Every county around us now has adopted a wheel tax."

President McWhirt, "I'm not opposed to taking care of ourselves at some level. The tax you pay locally is the best tax to pay because it is spent locally. So at least we are using it here if we choose to tax it. At one time dollars spent per capita were really in good shape in Grant County. I'm not sure where we are today. If we do decide to do this we need to get it started in March so be thinking about that in case we want to pursue it for 2017."

#### **D. County Auditor – Replacement of Vacancy – General Fund**

Roger A. Bainbridge, Grant County Auditor, requested permission to fill a vacancy. Auditor Bainbridge, "One of the transfer deputies retired. The position is responsible for transferring tax deeds, posting exemptions and deductions, applying the Heritage Barn fees, if the Personal Property Tax fee is decided upon then they would post that associated fee. At one time there were 6 transfer deputies and over the years through technology and such we have managed it with 3. So to lose one of the three would be pretty disastrous. These ladies are also the primary source for researching the ineligible homesteads. They edit all of the homesteads bouncing the data off the BMV records to see if they are buying license plates from that address. It takes some time for them to do that. They are very thorough and we are known across the state for policing our homestead deductions. That creates a lot of income into the Auditor's Office. I need to payout the retired employee and Sharon has been helping out with the duties. We won't be requesting any additional monies." President McWhirt stated, "In discussing this with Auditor Bainbridge to filling the transfer deputy position but the position vacated when that person leaves would not be filled. We have the remaining staff do what they can under Roger's leadership. That's what I am thinking at least to see how that works. We realize that it does put a burden on the staff but maybe they can make it work." Auditor Bainbridge, "We would have to do some reorganization overall and if the council considers all of the vacancy fillings equally then we won't feel like we are being picked on. Since we would be the first ones to bite the bullet." President McWhirt, "It's a case of organization I think. I appreciate your conversation the other day."

Councilman Scott moved to approve filling the vacancy of the transfer deputy position and further move to not approve the replacement for the executive secretary effective as the prior position pays out. Second by Councilman Middlesworth, there was public input.

Angie Lewis, "I am a 20 year employee of the Auditor's Office; I have seen the office have several employees. I have seen the reduction of staff. I have seen hours upon hours of overtime in the office and to continue to cut us is a burden. A huge burden. I wish you would reconsider this because it's not easy." President McWhirt, "Thank you for your comments Angie, it's not easy for us to make that call. Sometimes we are faced with difficult positions and this is one of those. We are going to rely on Roger's leadership and the staff to make this work the best we can. From our budget sessions on we are going to be very cost conscious because of the financial condition we are in at this point. Probably, unless we see some things happen to improve our revenues as they come whether they are income or assessed values we will have to consider these items a lot more seriously. Unless we implement a different tax and no one wants to talk about that. We are just going to give a shot and expect that it will work."

The motion carried 5-0.

#### **E. City of Marion Economic Development Commission – Appointment**

President McWhirt stated he had spoken with Tom Hunt who requested Randy Stone be appointed to the Marion Economic Development Commission.

Councilman Middlesworth moved to appoint Randy Stone to the City of Marion Economic Development Commissioner Board with the term expiring February 1, 2017. Second by Councilman Scott; motion carried 5-0.

### **9. Old Business**

**A. Gas City-Mill Township Public Library Board – Appointment**

President McWhirt stated he received a letter from Nancy Bryant, Director of the Gas City-Mill Township Public Library recommending that Tim Luckey be appointed to the board.

Councilman Scott moved to appoint Tim Luckey to the Gas City-Mill Township Public Library Board with his term set to expire December 31, 2019. Second by Councilman Middlesworth; there was no public input. Motion carried 5-0.

**B. County Assessor – Business Personal Property Tax Exemption & Associated Fee / Adoption of Ordinance 1-2016**

President McWhirt stated at the last meeting Gary Landrum, Grant County Assessor, relayed information about fee adoption for personal property returns. Mr. Garrison was in attendance on behalf of Assessor Landrum. A spreadsheet reflected other counties decisions on fee adoption. The fees ranged up to \$50. New legislation states that for 2016 pay 2017 on personal property returns that have less than \$20,000 in acquisition costs are now exempt from taxation. For the filing of that exempt status a fee by ordinance could be adopted to offset the loss of revenue. The projected loss of revenue is around \$90,000.

President McWhirt stated he had no problem with the fee because it would help offset the loss of revenue. Councilman Scott stated he hated to impose another tax. Discussion ensued with the following motions.

Councilman Leming moved to adopt a \$50.00 fee for those taxpayers filing personal property returns with less than \$20,000 in acquisition costs. The motion died for lack of second.

Councilman Scott moved to adopt Ordinance 1-2016 that charges a \$35.00 fee for those taxpayers filing personal property returns with less than \$20,000 in acquisition costs. Second by Councilman Leming; motion carried 5-0.

Auditor Sharon

GRANT COUNTY COUNCIL ORDINANCE NO. 2016- 1

**A Grant County Council Ordinance to Require Person Filing a Personal Property Tax Exemption Under I.C. 6-1.1-3-7.2 to Pay an Annual Local Service Fee**

WHEREAS, I.C. 6-1.1-3-7.2 had provided that any person paying personal property taxes on the person's business personal property as defined within the statute whose acquisition cost is less than \$20,000 will be exempt from the payment of personal property tax; and

WHEREAS, I.C. 6-1.1-3-7.2 provides to obtain such exemption, the person must file an annual certification before May 15 with the Grant County Assessor; and

WHEREAS, I.C. 6-1.1-3-7.3 provides that the County Fiscal Body may establish a local service fee to be paid by the person filing the annual certification with the Grant County Assessor; and

WHEREAS, the Grant County Council is desirous of establishing a local service fee for the annual certification.

NOW, THEREFORE, BE IT ORDAINED by the Grant County Council:

1. A person seeking an exemption under I.C. 6-1.1-3-7.2 shall be required to pay a local service fee for the filing of the annual certification with the County Assessor in the amount of Thirty-five Dollars (\$35.00).
2. The annual fee shall be due and payable at the same time that property taxes for that assessment date are due and payable.
3. The revenue from the local service fee shall be allocated in the manner and proportion and at the same time as property taxes are allocated to the local taxing units in Grant County.
4. This Ordinance shall be effective upon date of passage by the Grant County Council.

Adopted by the Grant County Council, this 30<sup>th</sup> day of January, 2016, by the approval of the following members:

  
 Doc ID: 002591440002 Type: MIS  
 Recorded: 01/26/2016 at 09:32:07 AM  
 Fee Amt: \$0.00 Page 1 of 2  
 Grant County Recorder  
 Pamela K. Harris County Recorder  
 File **2016-000583**

HAS BEEN VIEWED BY AUDITORS OFFICE

**10. Reports, Resolutions, Communications and General Discussion**

There were no reports.

President McWhirt asked each of the council members to review their list of board assignments in case they wish to change them at the February meeting.

The next regular meeting will be held on February 17, 2016 at 6:00 p.m.

**11. Adjournment**

President McWhirt adjourned the meeting at 7:28 p.m.