

**COUNTY COUNCIL REGULAR MEETING – MAY 14, 2007**

The meeting was called to order by President, John Price.

**I. ROLL CALL**

The following members were present: Josh McCarty, Anita Knowles, Beth Boyce, Steve Hollenbeck, Ron West, and Charles Canary. Phil Wilson was present as the Council's attorney.

**II. PLEDGE OF ALLEGIANCE**

**III. INVOCATION**

**IV. APPROVAL OF 5/14/07 AGENDA**

Mr. McCarty moved to approve the 5/14/07 agenda as submitted. Mr. Hollenbeck seconded the motion that carried unanimously.

**V. APPROVAL OF 4/09/07 MINUTES**

Mr. West moved to approve the minutes as presented. Mrs. Boyce seconded the motion, which unanimously carried.

**VI. PUBLIC COMMENTS**

Mr. Price explained if anyone wanted to address the Council in reference to the proposed Wheel Tax they may do so at the end under "New Business-Reconsideration of the Wheel Tax".

**VII. JOHNSON COUNTY PUBLIC LIBRARY**

**Public Hearing – Library Capital Projects**

Beverly Martin, Johnson County Public Library Director, appeared to answer any questions the public might have in regards to the Library Capital Projects.

There were no public comments. An individual did request to have a copy of the plan.

**Library Capital Projects Approval**

Mr. West moved to approve the Johnson County Public Library's Capital Project Fund. Mr. Canary seconded the motion that carried unanimously.

**Appointment**

Mr. West moved to appoint Mrs. Beth Baird to the Library Board for a four-year term. Mr. Canary seconded the motion, which unanimously carried.

**VIII. SALARY ORDINANCE AMENDMENTS, ADDITIONAL APPROPRIATIONS, REDUCTIONS, & TRANSFERS:**

Mr. West moved to approve the following requests as submitted. Mr. Hollenbeck seconded the motion that carried unanimously.

JUVENILE DETENTION CENTER – (140)

Approval of Travel Expenses

COUNTY ALCOHOL & DRUG FUND – (332)

332-114.0 – Prof. Pt-time to Alcohol/Drug Assessor \$25,000

332-143.0 – PERF \$ 2,250.00

332-201.0 – Supplies \$ 1,000.00

REGIONAL GANG GRANT – 10/01/06-3/31/07 – (366)

366-100.0 – Deputy Prosecutor \$ 15,102.51

366-142.0 – Social Security \$ 425.70

366-143.0 – PERF \$ 1,290.00

366-210.0 – Reimbursements \$ 17,311.40

WIC – (215)

From: 215-217.0 – Office Supplies (\$ 705.00)

To: 215-410.0 – Equipment \$ 705.00

TITLE 4-D JUVENILE COURT – (137)

137-117.0 – Security Supplement – Reduction (\$ 5,187.00)

JAIL – (124)

124-167.0 – Overtime Juvenile Court (new) \$ 5,187.00

**SHERIFF – (105)**

Doug Cox, Sheriff's Chief Deputy, appeared to request additional appropriations for overtime, sheriff's line item, and office/other equipment.

The overtime request is for their participation in OPO/DUI of which the general fund is reimbursed from the grant. The office/other equipment would be used for a partial payment on an in car video camera.

Mr. McCarty moved to approve the requests as presented. Mr. Hollenbeck seconded the motion that unanimously carried.

105-165.0 – Overtime \$ 6,804.25

105-111.0 – Salary Sheriff \$ 9,961.00

105-440.0 – Office/Other Equipment \$ 2,970.00

**JOHNSON COUNTY SHERIFF L.E.C.E. – (325)**

Mr. Cox requested \$1,984.69 to pay the balance for the in car video camera. Johnson County Citizens Against Substance Abuse awarded the Sheriff's Department the funds from their annual grant. The amount of the grant was \$2,970 and they would like to use \$1,984.69.

Mr. Canary moved to approve the request as presented. Mr. McCarty seconded the motion that unanimously carried.

325-400.0 – Equipment \$ 1,984.69

**STATE HOMELAND SECURITY GRANT-2006 – (371)**

Forrest Sutton, Johnson County Emergency Management Agency Director, appeared to request appropriations for the 2006 grant. The money is to enhance public safety in Johnson County.

Mr. Canary asked if the grant would be ongoing in order to fund the GIS Director’s salary.

Mr. Sutton replied he could not commit if the grant would continue; however several of grants have decreased over the past few years.

Mr. Hollenbeck moved to approve the request as presented. Mrs. Knowles seconded the motion that carried unanimously.

371-115.0 – GIS Director \$50,000	\$ 17,902.00
371-311.0 – Exercise	\$ 200,000.00
371-410.0 – Equipment	\$ 49,990.05

**PLANNING & ZONING – (117)**

Brian Waterman, Director of Planning & Zoning, appeared to request a transfer of funds into two line items for salary increases. He explained he would like to increase the Senior Planner’s position from \$35,100 to \$37,000 because of the education and experience the individual has and increase the Engineering Assistant’s position from \$35,218 to \$37,188 in recognition of the amount of work done by this person and the length of time he has worked for the Department. To fund the increase in salaries they are requesting that the Building Inspector II salary be decreased by \$3,800. This position is currently vacant and will remain vacant.

Mr. West moved to approve the request as presented. Mrs. Knowles seconded the motion that carried unanimously.

From: 117-132.0 – Building Inspector II \$25,093 to \$21,293	(\$ 3,800.00)
To: 117-110.0 – Senior Planner \$35,100 to \$37,000	\$ 1,900.00
To: 117-122.0 – Engineering Assist. \$35,218 to \$37,118	\$ 1,900.00

**OLD BUSINESS**

There was no old business to discuss.

**NEW BUSINESS**

**Approval of Ordinance #2007-02 – Amendment to Council Ordinances 98-03 & 2002-01 Establishing Fees for Electronic Mapping**

Mr. West moved to approve Ordinance #2007-02 as submitted. Mrs. Knowles seconded the motion, which unanimously carried.

## **Approval of Resolution #2007-02 – Resolution to Transfer Funds**

Mr. West moved to approve Resolution #2007-02 as submitted. Mr. McCarty seconded the motion that unanimously.

### **Discussion on the County giving money to the recent train tragedy fundraiser “Jake and Travis’s Arms of Life Fund”**

Mrs. Knowles explained the train tragedy happened in northern Johnson County in White River Township (Stones Crossing Road). She distributed pamphlets to the Council and everyone in the audience explaining the purpose, the goal, and the stats of the fundraiser. The cost of upgrading each crossing is \$250,000 and their goal is one million in 120 days (by August) in order to upgrade four crossings in White River Township. This would install cross arms and flashing lights at Stones Crossing Road, Whiteland Road, Smokey Row Road and Olive Branch Road. They have currently collected \$250,000 and are in the process of getting the first one built.

Mr. Price commented fund #262 (Olive Branch Road) was established for improvements of the road, intersections, and curves. Some of the funds are going to be used on the offset and bridge work at Olive Branch and Morgantown Road. Currently there is approximately \$151,000 in the fund and perhaps \$50,000 could be used for the railroad crossing improvements. Also, maybe a portion of the major moves money could be used too.

Mr. West remarked he is concerned that donating funds for the railroad crossing upgrades to a specific area (White River) when other crossings in the county need to be considered, also. He noted even with lights and crossing arms, people are still going to go through the intersections. The main issue is to get people to stop and look both ways. Maybe a fine should be imposed for individuals that do not make a complete stop. The money collected from fines could be dedicated for the railroad crossing upgrades.

Gary Vandegriff, Highway Director, appeared to discuss the railroad crossing issue. He stated if county funds are going to be used he felt it should be used, as the crossings are rated countywide. The Stones Crossing Road railroad crossing is rated the number one hazardous intersection. He noted as for the responsibility for the upkeep of the railroad equipment once installed he would foresee an agreement between the county and the railroad line that would be facilitated by INDOT. The railroad would contract and build the crossing and be responsible for the crossing. Once lights and arms are added to a crossing the liability assumption goes up significantly for the agency, typically the railroad, which has a mechanical feature activated by the trains.

Several individuals spoke from the audience on the county using county funds for the railroad crossings.

After further discussion, Mr. McCarty moved for the Council to draft a letter to the Board of Commissioners to recommend to request funds for the railroad crossing at Stones Crossing Road (\$50,000-Olive Branch Road Fund & the remainder of the money at the discretion of the Commissioners) and the creation of a fund for railroad crossings. Mrs. Knowles seconded the motion that carried five to two, Mr. West and Mrs. Boyce voted nay.

### **Reconsideration of the Wheel Tax**

Gary Vandegriff, Highway Director, appeared to discuss the proposed Wheel Tax. He distributed information showing the future major projects and average costs by project classification. The three project types listed were: inadequate or offset intersection improvement, (cost \$721,077.82), traffic flow or capacity improvement, (cost \$8,349,506.20), and safety improvement or "S" curve realignment, (cost \$665,500.59). The most important issues are how does the county want to maintain the roads, at what level, and how to fund it.

Mr. West stated he knows everyone agrees that the county does need additional money for roads, however we are paying our fair share of taxes for automobile use, such as the price of gasoline, of which the State will receive approximately \$46 million from consumers. The County Highway Department will only receive \$4 million dollars. He noted that he e-mailed the Governor asking for a \$.06 per gallon rebate to every county in the State, which would generate around \$7.5 million for Johnson County. Mr. West stated the Wheel Tax has no equity because someone that drives 5,000 miles a year pays the same as someone who drives 30,000 a year on the same roads. The tax is also split 55% for Cities/Towns and the County would receive 45%. He recommended having a statewide movement of county elected officials to get the \$.06 back to all counties.

Mr. McCarty commented it has been stated heavy trucks are destroying the roads in the county; however 99% of the heavy trucks are not registered in Johnson County. There was 338 heavy trucks registered in Johnson County in 2005 with a \$40 wheel tax they would pay \$13,000. Motorcycles would pay \$100,000 in wheel tax and light trailers would pay \$377,000. The Wheel Tax is an unfair and unjust tax.

Mr. Price stated the wheel tax has been discussed four or five times and every time it has been stated that the county needs to go to the State and ask for some of the gas tax. Nothing has been accomplished.

Mrs. Boyce commented she did not know if it would be realistic for the State to give money to all the counties from the gas tax.

Mr. Hollenbeck agreed with Mr. McCarty that the wheel tax is not a fair tax.

Mrs. Knowles explained the road issue will not go away but only get worse. Nobody wants to pay additional taxes, however the county needs to do something.

Mr. Canary commented if the county does not pass the wheel tax then what are we going to do, the roads are in bad shape and only will get worse.

The following individuals spoke in opposition of the wheel tax:

Gary Young – Nineveh Township  
Gary Moody – Franklin Township  
Vaughn Moore – White River Township  
Dave Stahl – Franklin Township  
John Fisher – Hensley Township  
Terry Miller – Hensley Township  
Linda Gibson – Pleasant Township  
Joanne Pittman – Franklin Township  
Jim Williams – Franklin Township

The following individuals spoke in favor of the wheel tax:

Mark Devoe – White River Township  
Don Gatlin – White River Township  
Bill Heller – White River Township  
Allen Ray Whitaker – Pleasant Township (Whiteland Town Council Member)  
Dennis Capozzi – Pleasant Township (Whiteland Town Manager)  
John Dorsett – White River Township  
Chip Charles – White River Township  
Norm Gabehart – Pleasant Township (Director of Operations – City of Greenwood)  
Tom Kite – Union Township (County Commissioner)  
Jay Marks – White River Township (White River Township Trustee)

Mr. Price noted the proposed wheel tax ordinance has a sunset clause that the tax would terminate and be of no further force or effective after the 60<sup>th</sup> month following the effective date.

After further discussion, Mrs. Knowles moved to approve Ordinance 2007-03 (Authorizing the Imposition of an Annual License Excise Surtax and a Wheel Tax). Mrs. Boyce seconded the motion that carried four to three, Mr. West, Mr. McCarty, and Mr. Hollenbeck voted nay. Since the Ordinance did not pass unanimously, another meeting and vote will have to take place before the Ordinance can take effect.

The Council concurred to have a Special Council Meeting on May 30<sup>th</sup> at 7:00 p.m. in the Annex Auditorium to have local State Senators and State Representatives available to discuss other options of revenue for county roads.

There being no further business, Mrs. Knowles moved to adjourn the meeting. Mr. McCarty seconded the motion that unanimously carried.