

BE IT REMEMBERED THE HENRY COUNTY COUNCIL OF HENRY COUNTY, INDIANA, met in special session in the Courthouse Circuit Courtroom, in the City of New Castle, Indiana, on Monday June 27, 2016, at 6:00 P.M., with the following members present: Nate LaMar, Richard Bouslog, Michael Thalls, Robin Reno-Fleming, Steve Dugger, Clay Morgan, Patricia A. French, County Auditor, and Joel Harvey, County Attorney.

Mr. LaMar stated the special meeting was called to present and have a seconded vote on Ordinance #5 Ordinance #6, increasing the County's Wheel & Surtax.

Melanie Craft, citizen, asked why her trailer was going from \$25 to \$80. She thought it was too large of an increase. Mr. Dugger explained the committee had looked at trailers under 9000 lbs., along with horse and construction trailers. In the past trailers were only \$5, which should've been higher, since cars were paying \$25. There was no good way to compare trailers, they just wanted to be fair and realistic.

Mr. Morgan stated the Council would review the tax if or when the State decides to cancel their matching grant program.

Mr. Dugger stated this money would help to improve the roads. Currently the County brings in approximately \$903,000 from the Wheel & Surtax. With the increase and the match, the County would bring in approximately \$2,615,461.71.

A motion was made by Mr. Dugger and seconded by Mr. Thalls to approve Ordinance #5 Ordinance #6 as presented. Motion carried 5-0.

Ordinance No. 5 2016

**AN ORDINANCE AMENDING THE HENRY COUNTY
MOTOR VEHICLE EXCISE SURTAX**

WHEREAS, the Henry County Council has previously adopted an ordinance imposing annual excise surtax on certain classes of vehicles registered in Henry County as follows:

<u>SURTAX:</u>	<u>Current Rates</u>
RATE TYPE	\$ %
Per statute, surtax rate or amount must be same	
For all vehicles listed below:	
A. PASSENGER VEHICLES	\$25.00
B. MOTORCYCLES	\$25.00
C. MOTOR DRIVEN CYCLES	\$25.00
D. TRUCKS – IC 9-29-5-3	\$25.00
(Including Farm Trucks)1-11,000 LBS	
7,000 (1-7,000 LBS)	
9,000 (7,001-9,000 LBS)	
10,000 (9,001-10,000LBS)	
11,000(10,001-11,000 LBS); and,	

WHEREAS, Indiana Code §6-3.5-4-2 has been amended to provide that if a county uses a Transportation Asset Management Plan approved by the Indiana Department of Transportation, a county may impose an excise surtax at a rate of at least two percent (2%) and not more than twenty percent (20%); or at a specific amount of at least \$7.50 and not more than \$50.00; and,

WHEREAS, Henry County utilizes a Transportation Asset Management Plan that has been approved by the Indiana Department of Transportation.

NOW THEREFORE, BE IT ORDAINED by the Common Council of Henry County, Indiana that the annual Excise Surtax on the classes motor vehicles described below that are registered in Henry County is hereby amended as follows:

<u>SURTAX:</u>	<u>Current Rates</u>	<u>Revised Rates</u>
RATE TYPE	\$	\$
Per statute, surtax rate or amount must be same		
For all vehicles listed below:		
A. PASSENGER VEHICLES	\$25.00	<u>\$40.00</u>
B. MOTORCYCLES	\$25.00	<u>\$40.00</u>
C. MOTOR DRIVEN CYCLES	\$25.00	<u>\$40.00</u>
D. TRUCKS – IC 9-29-5-3	\$25.00	<u>\$40.00</u>
(including Farm Trucks)1-11,000 LBS		
7,000 (1-7,000 LBS)		
9,000 (7,001-9,000 LBS)		
10,000 (9,001-10,000LBS)		
11,000(10,001-11,000 LBS)		

EFFECTIVE DATE: This Ordinance shall be effective upon passage and at the earliest date permitted by law. The revised rates shall become effective in accordance with I.C. 6-3.5-4-5.

SEVERABILITY: Any provision contained in this ordinance, which is found by a court of competent jurisdiction to be unlawful or by operation of law, including subsequent legislative enactment, is rendered inapplicable, shall be omitted and the rest and remainder of this ordinance shall remain in full force and effect.

REPEALER: All ordinances that are in conflict with the terms of this Ordinance are hereby repealed as of the effective date of this Ordinance.

ADOPTED by the Henry County Council of Henry County, Indiana this 27 day of JUNE, 2016, by a vote of 5 to 0.

HENRY COUNTY COUNCIL

Ordinance No. 6 2016

**AN ORDINANCE AMENDING THE WHEEL TAX
ON MOTOR VEHICLES IN HENRY COUNTY**

WHEREAS, Indiana Code §6-3.5-5-1, et.seq., permits a county to impose an annual wheel tax on certain classes of vehicles registered within Henry County; and,

WHEREAS, Indiana Code §6-3.5-5-2 has been recently amended to permit a county to impose an annual wheel tax up to the sum of \$80.00 if a county uses a Transportation Asset Management Plan approved by the Indiana Department of Transportation; and,

WHEREAS, Henry County utilizes an Asset Management Plan that has been approved by the Indiana Department of Transportation; and,

WHEREAS, Henry County is in need of additional funds to construct, reconstruct, repair or maintain the streets and roads under its jurisdiction; and,

WHEREAS, the Henry County Council has determined that the Henry County Wheel Tax should be amended in accordance with the schedule below:

	Current Rate	Revised Rate
A. Trucks IC 9-29-5-3		
16,000 (11,001-16,000 LBS) (includes Class B Recovery Vehicles)	30.00	80.00
20,000 (16,001-20,000 LBS) (includes Class A Recovery Vehicles)	30.00	80.00
23,000 (20,001-23,000 LBS) (includes Class A Recovery Vehicles)	30.00	80.00
26,000 (23,001-26,000 LBS) (includes Class A Recovery Vehicles)	30.00	80.00
30,000 (26,001-30,000 LBS) (includes Class A Recovery Vehicles)	30.00	80.00
36,000 (30,001-36,000 LBS) (includes Class A Recovery Vehicles)	40.00	80.00
42,000 (36,001-42,000 LBS) (includes Class A Recovery Vehicles)	40.00	80.00
48,000 (42,001-48,000 LBS) (includes Class A Recovery Vehicles)	40.00	80.00
54,000 (48,001-54,000 LBS) (includes Class A Recovery Vehicles)	40.00	80.00
60,000 (54,001-60,000 LBS) (includes Class A Recovery Vehicles)	40.00	80.00
66,000 (60,001-66,000 LBS) (includes Class A Recovery Vehicles)	40.00	80.00
66,000+ (66,001LBS and OVER) (includes Class A Recovery Vehicles)	40.00	80.00
B. TRAILERS used with motor vehicles IC 9-29-5-4		
(includes Farm Trailers)		
3,000 (1-3,000LBS)	5.00	20.00
5,000 (3,001-5,000LBS)	5.00	30.00
7,000(5,001-7,000LBS)	5.00	35.00
9,000(7,001-9,000 LBS)	5.00	40.00
12,000(9,001-12,000LBS)	5.00	80.00
16,000(12,001-16,000LBS)	5.00	80.00
22,000(16,001-22,000LBS)	5.00	80.00
22,000+(22,001 LBS and OVER)	5.00	80.00
C.RV'S	25.00	50.00

D. SEMI-TRAILERS	Current Rate	Revised Rate
<i>(Semi-Trailers)</i>		
1.) Semi-Trailer- One Year	30.00	80.00
2.) Semi-Trailer- Permanent	30.00	80.00
3.) Semi-Trailer- Five Year Cycle	30.00	80.00
First Year	30.00	80.00
Second Year	30.00	80.00
Third Year	30.00	80.00
Fourth Year	30.00	80.00
Fifth year	30.00	80.00
<i>(Farm Semi-Trailers)</i>		
1.) Semi-Trailer- One Year	30.00	80.00
2.) Semi-Trailer- Permanent	30.00	80.00
3.) Semi-Trailer- Five Year Cycle	30.00	80.00
First Year	30.00	80.00
Second Year	30.00	80.00
Third Year	30.00	80.00
Fourth Year	30.00	80.00
Fifth year	30.00	80.00
E. TRACTORS - IC 9-29-5-3		
<i>(not used in combination with a semi-trailer)</i>		
7,000 (1-7,000 LBS)	20.00	80.00
9,000 (7,001-9,000 LBS)	20.00	80.00
10,000 (9,001-10,000 LBS)	20.00	80.00
11,000 (10,001-11,000 LBS)	20.00	80.00
16,000 (11,001-16,000 LBS)	20.00	80.00
20,000 (16,001-20,000 LBS)	20.00	80.00
23,000 (20,001-23,000 LBS)	20.00	80.00
26,000 (23,001-26,000 LBS)	20.00	80.00
30,000 (26,001-30,000 LBS)	20.00	80.00
36,000 (30,001-36,000 LBS)	20.00	80.00
42,000 (36,001-42,000 LBS)	20.00	80.00
48,000 (42,001-48,000 LBS)	20.00	80.00
54,000 (48,001-54,000 LBS)	20.00	80.00
60,000 (54,001-60,000 LBS)	20.00	80.00
66,000 (60,001-66,000 LBS)	20.00	80.00
66,000+ (66,001LBS and OVER)	20.00	80.00

(not used in combination with

a semi-trailer, Farm Tractors)

7,000 (1-7,000 LBS)	20.00	80.00
9,000 (7,001-9,000 LBS)	20.00	80.00
10,000 (9,001-10,000 LBS)	20.00	80.00
11,000 (10,001-11,000 LBS)	20.00	80.00
16,000 (11,001-16,000 LBS)	20.00	80.00

	Current Rate	Revised Rate
20,000 (16,001-20,000 LBS)	20.00	80.00
23,000 (20,001-23,000 LBS)	20.00	80.00
26,000 (23,001-26,000 LBS)	20.00	80.00
30,000 (26,001-30,000 LBS)	20.00	80.00
36,000 (30,001-36,000 LBS)	20.00	80.00
42,000 (36,001-42,000 LBS)	20.00	80.00
48,000 (42,001-48,000 LBS)	20.00	80.00
54,000 (48,001-54,000 LBS)	20.00	80.00
60,000 (54,001-60,000 LBS)	20.00	80.00
66,000 (60,001-66,000 LBS)	20.00	80.00
66,000+ (66,001LBS and OVER)	20.00	80.00

F. TRACTORS - IC 9-29-5-5

(used in combination with a Semi-Trailer

to form "Semi-Trailer and Tractor")

20,000 (1-20,000 LBS)	30.00	80.00
26,000 (23,001-26,000 LBS)	30.00	80.00
30,000 (26,001-30,000 LBS)	30.00	80.00
36,000 (30,001-36,000 LBS)	30.00	80.00
42,000 (36,001-42,000 LBS)	30.00	80.00
48,000 (42,001-48,000 LBS)	30.00	80.00
54,000 (48,001-54,000 LBS)	30.00	80.00
60,000 (54,001-60,000 LBS)	30.00	80.00
66,000 (60,001-66,000 LBS)	30.00	80.00
72,000 (66,001-72,000 LBS)	30.00	80.00
74,000 (72,001-74,000 LBS)	30.00	80.00
76,000 (74,001-76,000 LBS)	30.00	80.00
78,000 (76,001-78,000 LBS)	30.00	80.00
78,000+ (78,001 LBS and OVER)	30.00	80.00

	Current Rate	Revised Rate
<i>(used in combination with a Semi-Trailer to form</i>		
<i>Semi-Trailer & Tractor" Farm Semi-Trailer and Tractor)</i>		
20,000 (1-20,000 LBS)	30.00	80.00
26,000 (23,001-26,000 LBS)	30.00	80.00
30,000 (26,001-30,000 LBS)	30.00	80.00
36,000 (30,001-36,000 LBS)	30.00	80.00
42,000 (36,001-42,000 LBS)	30.00	80.00
48,000 (42,001-48,000 LBS)	30.00	80.00
54,000 (48,001-54,000 LBS)	30.00	80.00
60,000 (54,001-60,000 LBS)	30.00	80.00
66,000 (60,001-66,000 LBS)	30.00	80.00
72,000 (66,001-72,000 LBS)	30.00	80.00
74,000 (72,001-74,000 LBS)	30.00	80.00
76,000 (74,001-76,000 LBS)	30.00	80.00
78,000 (76,001-78,000 LBS)	30.00	80.00
78,000+ (78,001 LBS and OVER)	30.00	80.00

G. BUSES - IC 9-29-5-7

1. BUS A- COMMERCIAL INTERCITY

11,000 (1-11,000 LBS)	20.00	80.00
16,000 (11,001-16,000 LBS)	20.00	80.00
20,000 (16,001-20,000 LBS)	20.00	80.00
26,000 (23,001-26,000 LBS)	20.00	80.00
30,000 (26,001-30,000 LBS)	20.00	80.00
36,000 (30,001-36,000 LBS)	20.00	80.00
42,000 (36,001-42,000 LBS)	20.00	80.00
48,000 (42,001-48,000 LBS)	20.00	80.00
54,000 (48,001-54,000 LBS)	20.00	80.00
60,000 (54,001-60,000 LBS)	20.00	80.00
60,000+ (60,001 LBS and OVER)	20.00	80.00

2. BUS D- COMMERCIAL INTRACITY

11,000 (1-11,000 LBS)	20.00	80.00
16,000 (11,001-16,000 LBS)	20.00	80.00
* 16,000 (1-16,000 LBS)	20.00	80.00
20,000 (16,001-20,000 LBS)	20.00	80.00
26,000 (23,001-26,000 LBS)	20.00	80.00

30,000 (26,001-30,000 LBS)	20.00	80.00
36,000 (30,001-36,000 LBS)	20.00	80.00
* 36,000 (16,001-36,000 LBS)	20.00	80.00
* 36,000+ (36,001 LBS and OVER)	20.00	80.00
42,000 (36,001-42,000 LBS)	20.00	80.00
48,000 (42,001-48,000 LBS)	20.00	80.00
54,000 (48,001-54,000 LBS)	20.00	80.00
60,000 (54,001-60,000 LBS)	20.00	80.00
60,000+ (60,001 LBS and OVER)	20.00	80.00
* <i>Per new statute effective 1-01-2015 - Only weight classes for Intracity.</i>		
3. BUS C- NOT FOR HIRE- IC 9-29-5-10	20.00	80.00
School bus/church bus(if not exempt)	0.00	40.00

EFFECTIVE DATE: This Ordinance shall be effective upon passage and at the earliest date provided by law. The revised rates shall become effective in accordance with I.C. 6-3.5-4-5.

SEVERABILITY: Any provision contained in this ordinance, which is found by a court of competent jurisdiction to be unlawful or by operation of law, including subsequent legislative enactment, is rendered inapplicable, shall be omitted and the rest and remainder of this ordinance shall remain in full force and effect.

REPEALER: All ordinances that are in conflict with the terms of this Ordinance are hereby repealed.

ADOPTED by the Henry County Council of Henry County, Indiana this **27** day of **JUNE**, 2016, by a vote of **5** to **0**.

A motion was made by Mrs. Fleming and seconded by Mr. Thalls to adjourn the meeting. Motion carried 5-0.

_____ Nate LaMar, President	_____ Richard Bouslog, Vice President
_____ Michael Thalls	_____ Robin Reno-Fleming
_____ Steve Dugger	_____ Clay Morgan

ATTESTED BY: _____
Patricia A. French, Henry County Auditor

