

**WHITLEY COUNTY COUNCIL
JULY 28, 2010**

The Whitley County Council met in special session as advertised on Wednesday, July 28, 2010 in the Commissioner's Room located on the first floor of the Whitley County Government Center. Members in attendance were Chairman Kim Wheeler, Vice Chairman John Barrett, James Bayman, Glen LaRue and Thomas E. Western. Members William Overdeer and James E. Banks were absent. Also in attendance for all or part of the meeting were Auditor Linda Gerig, Gene Heckman and Steven R. Clason. Chairman Wheeler called the meeting to order at 8:00 a.m.

IN THE MATTER OF REFERENDUM TAX LEVY: Whitko Community School Corporation Superintendent Steven R. Clason was present to explain, based on the projected funding per student, that it will not be able to carry out its public education duty unless it imposes a referendum tax levy. The school corporation adopted a resolution on June 21, 2010 to place a referendum on the ballot for the purpose of imposing a referendum tax levy as needed in order to carry out its public education duty. A copy of the Resolution adopted was certified to Whitley County Council pursuant to Indiana Code 20-46-1-8. The Whitley County Council must under Indiana Code 3-10-9-3 certify the question to be voted on at the referendum to the county election board. Discussion was held on the matter before Whitley County Council Resolution No. 2010-17, A Resolution for Whitley County Council to Certify Referendum to County Election Board, was presented for consideration. Western moved, seconded by Barrett, to approve. The motion failed with only Western casting a Yea vote. Barrett, Bayman and LaRue cast Nay votes and Chairman Wheeler abstained.

There being no further business or public comment, the meeting was adjourned.

Upon adjournment, it was brought to the Council's attention that the vote taken was inappropriate in that it did not comply with the requirements of Indiana law. Chairman Wheeler reopened the meeting with all members still in attendance except for James Bayman. Western moved to rescind Resolution No. 2010-17. The motion was seconded by Vice Chairman Barrett and passed with a 4/0 vote. Resolution No. 2010-17-A, A Resolution for Whitley County Council to Certify Referendum to County Election Board, was introduced. Western moved, seconded by Wheeler to approve Resolution No. 2010-17-A. LaRue voted against the motion. Wheeler, Barrett and Western all cast Yea votes.

There being no further business or public comment, the meeting was adjourned.

WHITLEY COUNTY COUNCIL

Kim Wheeler, Chairman

John Barrett, Vice Chairman

James Bayman

Glen LaRue

Thomas E. Western

Absent
William Overdeer

Absent
James E. Banks

Attest:

Linda J. Gerig, Auditor