

**HOWARD & ASSOCIATES**  
ATTORNEYS FOR HAMILTON COUNTY  
AND  
THE CITY OF NOBLESVILLE

**MICHAEL A. HOWARD**

**DARREN J. MURPHY**

July 14, 2010

Clerk-Treasurer Cindy Gossard  
City of Westfield  
17535 Dartown Road  
Westfield, IN 46074

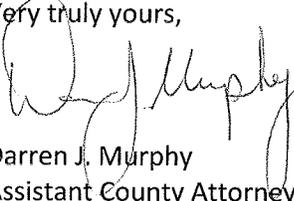
Re: 2011 Humane Society contracts

Dear Clerk-Treasurer Gossard:

I have enclosed the 2011 contract between the County and the City of Westfield. The contract is the same as last year with the exception of the "per animal cost." The per animal cost decreased forty cents from \$157.74 to \$157.34.

Please present the 2011 contract to your council and then return to me in the provided envelope. Thank you for your attention to this matter.

Very truly yours,



Darren J. Murphy  
Assistant County Attorney  
Hamilton County, Indiana

INTERLOCAL AGREEMENT BETWEEN THE CITY OF WESTFIELD,  
INDIANA, AND HAMILTON COUNTY, INDIANA, CONCERNING UNWANTED  
ANIMALS DELIVERED TO THE HAMILTON COUNTY HUMANE SOCIETY

THIS AGREEMENT entered into on the dates set out herein, by and between Hamilton County, Indiana, (“the County”) and the City of Westfield, (“the City”); and,

WITNESS THAT:

WHEREAS, the County, and the Humane Society for Hamilton County, Inc., (“the Society”) have entered into a Service Agreement for the calendar year 2011, for the Society to be compensated for costs associated with the care of certain unwanted animals; and,

WHEREAS, the Service Agreement defines a “Participating Unit” as follows:

“Participating Unit” is defined as the County, and any city, or town within the County which enters into an agreement to reimburse the County, the amount of One Hundred Fifty-Seven Dollars and Thirty-four Cents (\$157.34) per animal for each Stray Animal, which is received by the Society; and,

WHEREAS, the Service Agreement defines the term “Unwanted Animal” as follows:

“Unwanted Animal” is defined as: 1) an animal delivered to the shelter from a law enforcement officer of a Participating Unit; or 2) an animal which is delivered to the shelter by a resident of a Participating Unit, which is not owned or controlled by the resident, but is delivered by the resident in order that the animal may be treated humanely; or 3) an animal delivered to the shelter by its owner, who resides within a Participating Unit.

WHEREAS, the City of Westfield desires to enter into an agreement whereas the City would be a Participating Unit as defined in the Service Agreement, to permit its law enforcement officers and citizens to deliver Unwanted dogs and cats to the Society; and to be obligated to reimburse the County the amount of One Hundred Fifty-Seven Dollars and Thirty-four Cents (\$157.34) per animal for each Unwanted dog or cat defined in the Service Agreement.

IT IS THEREBY AGREED by the County and the City as follows:

1. The City agrees to reimburse the County, the amount of One Hundred Fifty-Seven Dollars and Thirty-four Cents (\$157.34) for each Unwanted dog or cat which is either: a) delivered to the Society by a law enforcement officer of the City; b) a dog or cat which is delivered to the Society by a resident of the City, which the animal is not owed or controlled by the resident but is delivered by the resident in order that the dog or cat may be treated humanely; or c) an animal delivered to the shelter by its owner, who resides within a Participating Unit.
2. The Hamilton County Auditor shall cause a list of Stray Unwanted Animals provided to the County by the Society to be delivered to the City monthly. The City shall, in conformance with the City's payment schedule, reimburse the County the amount the amount for the stray Unwanted dogs and cats chargeable to the City at the rate of One Hundred Fifty-Seven Dollars and Thirty-four Cents (\$157.34).
3. The parties agree that they have been operating under the terms in anticipation of this Agreement beginning January 1, 2011, and that this Agreement shall be effective for all dogs and cats from the City for the calendar year 2011 and shall continue from month to month thereafter until modified or terminated, subject to appropriation.
4. All other terms of the Service Agreement concerning the treatment of Stray Unwanted Animals are incorporated herein by reference.
5. In the event that there is a dispute between the Participating Unit, the Society, or the County concerning any of the terms contained herein, the parties agree that

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

WESTFIELD CITY COUNCIL  
Hamilton County, Indiana

Voting For

Voting Against

Abstain

\_\_\_\_\_  
Kenneth Kingshill

\_\_\_\_\_  
Kenneth Kingshill

\_\_\_\_\_  
Kenneth Kingshill

\_\_\_\_\_  
Robert Horkay

\_\_\_\_\_  
Robert Horkay

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Robert Horkay

\_\_\_\_\_  
John Dippel

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John Dippel

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John Dippel

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Bob Smith

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Bob Smith

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Bob Smith

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Tom Smith

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Tom Smith

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Tom Smith

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Rob Stokes

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Rob Stokes

\_\_\_\_\_  
Rob Stokes

\_\_\_\_\_  
Steven Hoover

\_\_\_\_\_  
Steven Hoover

\_\_\_\_\_  
Steven Hoover

ATTEST:

\_\_\_\_\_  
Cindy J. Gossard, Clerk-Treasurer

2010  
Stray Animal

CONTRACTUAL ENTITIES	January	February	March	April	May	June	July	August	September	October	November	December	TOTALS
<b>WESTFIELD</b>													
Billable Strays	14	19	17	32	15	36							
Amount billed @ 157.74	2,208.36	2,997.06	2,681.58	5,047.68	2,366.10	5,678.64	0.00	0.00	0.00	0.00	0.00	0.00	20,979.42
Confirmed Strays	14	19	17	32	15								
Amount received	2,208.36	2,997.06	2,681.58	5,047.68	2,366.10	0.00	0.00	0.00	0.00	0.00	0.00	0.00	15,300.78
<b>Outstanding</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$5,678.64</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$5,678.64</b>
<b>NOBLESVILLE</b>													
Billable Strays	69	62	63	93	118	96							
Amount billed @ 157.74	10,884.06	9,779.88	9,937.62	14,669.82	18,613.32	15,143.04	0.00	0.00	0.00	0.00	0.00	0.00	79,027.74
Confirmed Strays	69	62	63	93	118								
Amount received	10,677.06	9,593.88	9,748.62	14,390.82	18,259.32	0.00	0.00	0.00	0.00	0.00	0.00	0.00	62,669.70
<b>Outstanding</b>	<b>\$207.00</b>	<b>\$186.00</b>	<b>\$189.00</b>	<b>\$279.00</b>	<b>\$354.00</b>	<b>\$15,143.04</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$16,358.04</b>
<b>FISHERS</b>													
Billable Strays	40	40	33	37	50	45							
Amount billed @ 157.74	6,309.60	6,309.60	5,205.42	5,836.38	7,887.00	7,098.30	0.00	0.00	0.00	0.00	0.00	0.00	38,646.30
Confirmed Strays	40	40	33	37	50	45							
Amount received	6,309.60	6,309.60	5,205.42	5,836.38	7,887.00	7,098.30	0.00	0.00	0.00	0.00	0.00	0.00	38,646.30
<b>Outstanding</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>
<b>CARMEL</b>													
Billable Strays	21	17	21	40	30	49							
Amount billed @ 157.74	3,312.54	2,681.58	3,312.54	6,309.60	4,732.20	7,729.26	0.00	0.00	0.00	0.00	0.00	0.00	28,077.72
Confirmed Strays	21	17	21	40	30								
Amount received	3,312.54	2,681.58	3,312.54	6,309.60	4,732.20	0.00	0.00	0.00	0.00	0.00	0.00	0.00	20,348.46
<b>Outstanding</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$7,729.26</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$7,729.26</b>
Subtotal entities (received)	\$22,507.56	\$21,582.12	\$20,948.16	\$31,584.48	\$33,244.62	\$7,098.30	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	136,965.24
<b>Total Outstanding (entities)</b>	<b>\$207.00</b>	<b>\$186.00</b>	<b>\$189.00</b>	<b>\$279.00</b>	<b>\$354.00</b>	<b>\$28,550.94</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$29,765.94</b>
<b>COUNTY PORTION</b>													
Billable Strays @ \$157.74	62	33	57	41	62	43							
Total County Portion	\$9,779.88	\$5,205.42	\$8,991.18	\$6,467.34	\$9,779.88	\$6,782.82	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$47,006.52
Paid to Humane Society YTD	\$39,672.17	\$39,672.17	\$39,672.17	\$39,672.17	\$39,672.17	\$39,672.17	\$39,672.17						\$277,705.19
Received by entities	\$22,507.56	\$21,582.12	\$20,948.16	\$31,584.48	\$33,244.62	\$7,098.30	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	136,965.24
county portion	9,779.88	5,205.42	8,991.18	6,467.34	9,779.88	6,782.82	0.00	0.00	0.00	0.00	0.00	0.00	
Surplus(Deficit)	\$17,164.61	\$18,090.05	\$18,724.01	\$8,087.69	\$6,427.55	\$32,573.87	\$39,672.17	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$140,739.95

STRAY COUNT
133 Billable Strays
97 Confirmed Strays
<b>36 Difference</b>
501 Billable Strays
405 Confirmed Strays
<b>96 Difference</b>
245 Billable Strays
245 Confirmed Strays
<b>0 Difference</b>
178 Billable Strays
129 Confirmed Strays
<b>49 Difference</b>
298 Billable County Strays
298 Total County Strays
<b>0 Difference</b>
1,355 Total Billable Strays
1,174 Total Confirmed Strays
<b>181 Total Difference</b>

\$24,927.32 Outstanding Strays (Dif x 157.74)
\$140,739.95 Total Surplus(Deficit)
<b>(\$115,812.63) Balance due to Humane Society (does not include non-contractual entities)</b>

Notes:

2010 STRAYS  
Non-Contractual Entities

NON- CONTRACTUAL ENTITIES	January	February	March	April	May	June	July	August	September	October	November	December	TOTALS
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*These entities do not have a contract with the county. No money has been collected.*

<b>CICERO</b>													
Non-Billable Strays	4	5	2	2	2	2							17
Outstanding @ 157.74	\$630.96	\$788.70	\$315.48	\$315.48	\$315.48	\$315.48	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$2,681.58
<b>SHERIDAN</b>													
Non-Billable Strays	0	3	1	1	5	1							11
Outstanding @ 157.74	\$0.00	\$473.22	\$157.74	\$157.74	\$788.70	\$157.74	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$1,735.14
<b>ARCADIA</b>													
Non-Billable Strays	0	1	0	1	1	1							4
Outstanding @ 157.74	\$0.00	\$157.74	\$0.00	\$157.74	\$157.74	\$157.74	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$630.96
<b>ATLANTA</b>													
Billable Strays	0	0	0	0	0	0							0
Outstanding @ 157.74	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
												<b>TOTAL UNBILLED STRAYS</b>	<b>32</b>
												<b>TOTAL AMOUNT UNBILLED</b>	<b>\$5,047.68</b>

2009 Stray Animal

CONTRACTUAL ENTITIES	January	February	March	April	May	June	July	August	September	October	November	December	TOTALS
<b>WESTFIELD</b>													
Billable Strays	18	7	21	21	21	28	37	19	30	34	20	17	
Amount billed @ 137.72 / 138.26	2,478.96	964.04	2,892.12	2,892.12	2,892.12	3,856.16	5,115.62	2,626.94	4,147.80	4,700.84	2,765.20	2,350.42	37,682.34
Confirmed Strays	18	7	21	21	21	28	37	19	30	34	20	17	
Amount received	2,478.96	964.04	2,892.12	2,892.12	2,892.12	3,856.16	5,115.62	2,626.94	4,147.80	4,700.84	2,765.20	2,350.42	37,682.34
<b>Outstanding</b>	<b>\$0.00</b>												
<b>NOBLESVILLE</b>													
Billable Strays	74	58	70	85	100	92	106	122	91	94	53	81	
Amount billed @ 137.72	10,191.28	7,987.76	9,640.40	11,706.20	13,772.00	12,670.24	14,598.32	16,801.84	12,532.52	12,945.68	7,299.16	11,155.32	141,300.72
Confirmed Strays	74	58	70	85	100	92	106	122	91	94	53	81	
Amount received	10,191.28	7,987.76	9,640.40	11,706.20	13,772.00	12,670.24	14,598.32	16,801.84	12,532.52	12,945.68	7,299.16	11,155.32	141,300.72
<b>Outstanding</b>	<b>\$0.00</b>												
<b>FISHERS</b>													
Billable Strays	24	25	28	63	46	58	43	38	34	70	45	27	
Amount billed @ 137.72/138.26	3,305.28	3,443.00	3,856.16	8,676.36	6,335.12	7,987.76	5,921.96	5,233.36	4,682.48	9,640.40	6,221.70	3,733.02	69,036.60
Confirmed Strays	24	25	28	63	46	58	43	38	34	70	45	27	
Amount received	3,305.28	3,443.00	3,856.16	8,676.36	6,335.12	7,987.76	5,921.96	5,233.36	4,682.48	9,640.40	6,221.70	3,733.02	69,036.60
<b>Outstanding</b>	<b>\$0.00</b>												
<b>CARMEL</b>													
Billable Strays	19	19	27	16	30	29	23	47	30	28	29	30	
Amount billed @ 137.72/138.26	2,616.68	2,616.68	3,718.44	2,203.52	4,131.60	3,993.88	3,179.98	6,498.22	4,147.80	3,871.28	4,009.54	4,147.80	45,135.42
Confirmed Strays	19	19	27	16	30	29	23	47	30	28	29	30	
Amount received	2,616.68	2,616.68	3,718.44	2,203.52	4,131.60	3,993.88	3,179.98	6,498.22	4,147.80	3,871.28	4,009.54	4,147.80	45,135.42
<b>Outstanding</b>	<b>\$0.00</b>												
Subtotal entities (received)	\$18,592.20	\$15,011.48	\$20,107.12	\$25,478.20	\$27,130.84	\$28,508.04	\$28,815.88	\$31,160.36	\$25,510.60	\$31,158.20	\$20,295.60	\$21,386.56	293,155.08
<b>Total Outstanding (entities)</b>	<b>\$0.00</b>												
<b>COUNTY PORTION</b>													
Billable Strays	66	54	49	44	117	50	98	94	52	87	48	54	
	\$9,125.16	\$7,466.04	\$6,774.74	\$6,083.44	\$16,176.42	\$6,913.00	\$13,549.48	\$12,996.44	\$7,189.52	\$12,028.62	\$6,636.48	\$7,466.04	\$112,405.38
Paid to Humane Society YTD	\$40,593.00	\$40,593.00	\$40,593.00	\$40,593.00	\$40,593.00	\$40,593.00	\$40,593.00	\$40,593.00	\$40,593.00	\$40,593.00	\$40,593.00	\$40,593.00	<b>\$487,116.00</b>
Received by entities	\$18,592.20	\$15,011.48	\$20,107.12	\$25,478.20	\$27,130.84	\$28,508.04	\$28,815.88	\$31,160.36	\$25,510.60	\$31,158.20	\$20,295.60	\$21,386.56	293,155.08
county portion	9,125.16	7,466.04	6,774.74	6,083.44	16,176.42	6,913.00	13,549.48	12,996.44	7,189.52	12,028.62	6,636.48	7,466.04	
Surplus(Deficit)	\$22,000.80	\$25,581.52	\$20,485.88	\$15,114.80	\$13,462.16	\$12,084.96	\$11,777.12	\$9,432.64	\$15,082.40	\$9,434.80	\$20,297.40	\$19,206.44	<b>\$193,960.92</b>

STRAY COUNT	
273 Billable Strays	
273 Confirmed Strays	
<b>0 Difference</b>	
1026 Billable Strays	
1026 Confirmed Strays	
<b>0 Difference</b>	
501 Billable Strays	
501 Confirmed Strays	
<b>0 Difference</b>	
327 Billable Strays	
327 Confirmed Strays	
<b>0 Difference</b>	
813 Billable County Strays	
813 Total County Strays	
<b>0 Difference</b>	
2,940 Total Billable Strays	
2,940 Total Confirmed Strays	
<b>0 Total Difference</b>	

\$0.00	Outstanding Strays (Dif x 137.72)
\$193,960.92	Total Surplus(Deficit)
(\$193,960.92)	Balance due to Humane Society (does not include non-contractual entities)

Notes:

2009 STRAYS  
Non-Contractual Entities

NON- CONTRACTUAL ENTITIES	January	February	March	April	May	June	July	August	September	October	November	December	TOTALS
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*These entities do not have a contract with the county. No money has been collected.*

<b>CICERO</b>													
Non-Billable Strays	3	2	2	4	3	3	3	6	4	1	3	1	35
Outstanding @ 137.72/138.26	\$413.16	\$275.44	\$275.44	\$550.88	\$413.16	\$413.16	\$413.16	\$826.32	\$550.88	\$137.72	\$413.16	\$137.72	\$4,820.20
<b>SHERIDAN</b>													
Non-Billable Strays	3	1	0	1	0	0	0	0	0	0	0	5	10
Outstanding @ 137.72/138.26	\$413.16	\$137.72	\$0.00	\$137.72	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$688.60	\$1,377.20
<b>ARCADIA</b>													
Non-Billable Strays	0	0	0	0	0	0	2	2	0	1	0	0	5
Outstanding @ 137.72/138.26	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$275.44	\$275.44	\$0.00	\$137.72	\$0.00	\$0.00	\$688.60
<b>ATLANTA</b>													
Billable Strays	0	0	0	2	0	0	0	0	0	0	0	0	2
Outstanding @ 137.72/138.26	\$0.00	\$0.00	\$0.00	\$275.44	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$275.44
<b>TOTAL UNBILLED STRAYS</b>												<b>52</b>	
<b>TOTAL AMOUNT UNBILLED</b>												<b>\$7,161.44</b>	