

Eagle Township Board
July 23, 2008 6:30 a.m.
Zionsville Town Hall - Community Room
Zionsville, Indiana 46077

Minutes

Call to Order All members being present, President Rob Schein called the meeting to order for the purpose of the consideration of Eagle Township Joint Resolution No. 2008-2.

Government Reorganization President Schein presented for further consideration Joint Resolution No. 2008-2 which is a Joint Resolution of the Eagle Township Board and Union Township Board and an Ordinance of the Zionsville Town Council to adopt and approve the plan of reorganization among Eagle Township, Union Township and the Town of Zionsville, as presented by the Communities of Zionsville Area for Better Government, and to place such plan of reorganization for a public vote pursuant to Ind. Code 36-1.5-4-28. A motion to consider the resolution was made by Jeff Papa and seconded by Ralph Stacy, motion carried. The meeting proceeded with discussion of some amendments to the resolution since the last reading

The first issue was the possibility of a vacancy by one of the Trustees that would be on the Town Council during the years 2010-2011. It was determined that that vacancy would be filled by the calling of a caucus of the precinct committee persons of the respective township. In Eagle Township that would include the precinct committee persons of Eagle Township and the Town of Zionsville.

The next amendment dealt with the existing indebtedness to clarify that any financial obligations that existed prior to the effective date of the reorganization would be the responsibility of the entity incurring the debt. There have been concerns about the make-up of board members for the Parks Board, Plan Commission and the Board of Zoning Appeals. The resolution proposes that legislation be considered by the General Assembly in 2009 to assure that HB 1362-2006 truly gives local government the ability to create the boards in the manner that is appropriate for their own community. In the event that the General Assembly fails to address these issues, the amendments to each of these sections instructs the Transition Team in 2009 to draft an ordinance and forward to the current Zionsville Town Council for adoption to enlarge these boards as the Study Committee had suggested with an effective date of January 2, 2010. Counsel Steve Buschmann once again gave his opinion of Ind. Code 36-1.5 Chapter 1, saying that it clearly states that a merger done by a local unit supersedes any other state statute. We are the first in the state to utilize this statute. If someone challenges the make-up of a board, an entity would have to go to court for a decision. Mr. Buschman reviewed that when HB 1362 was introduced the purpose was to give

local government latitude without having to go back to the *General Assembly* every year. However, this change in the resolution is a very conservative approach to try and avoid any problems in the future with the make up of the various boards.

The Transition Committee make-up was the next amendment. Rather than appointments by the Trustees and the Town Council, the Transition Committee could be the township board members and shall be three members of the Zionsville Town Council. If a township board member chooses not to serve, a substitute by majority vote of the township board will be appointed.

Another amendment was a review of the duties of the Transition Committee with the addition of the committee doing a review of ordinances, zoning and subdivision control ordinances of Boone County and the Old Town of Zionsville and incorporating the concepts and provisions set forth.

The last addition was an expiration date for the Transition Committee to coincide with the Effective Date of the new reorganized government of January 2, 2010.

At this point of the meeting it was decided to call a recess for the purpose of attending the Zionsville Public Hearing on the Government Reorganization.

The Eagle Township Board reconvened at 8:15. President Schein entertained a motion to accept the amended version of the Resolution. The motion was made by Jeff Papa and seconded by Ralph Stacy. Joint Resolution No. 2008-02 was then presented for adoption. A motion was made by Jeff Papa to adopt the Resolution and the motion was seconded by Ralph Stacy. All members voted in favor.

At 8:30 pm there being no further business, the meeting was adjourned.

Rob Schein, President ___x___

Ralph Stacy, Secretary ___x___

Jeff Papa, Bd. Member ___x___

Judith Essex, Trustee ___x___

Counsel Steve Buschmann ___x___

Guests: All members of the Zionsville Town Council, Andy Buroker, Ed Mitro, Sue Jones, Steve Freyland, Alan Rachles, Jay Parks, Gene Thompson, John and Candace Ulmer, Charles Anderson