

WHITE RIVER TOWNSHIP
BOARD MEETING
JANUARY 4, 2011

Attendees: Mark Messick, Greg Rainbolt, Peggy Young, Dave Pollard, Jay Marks, Mary Sue Kane, Mary Lou Habicht, Ken Baker, Diane Taylor, Dick Huber, Tom Latondress, Dann Veldkamp, Jody Veldkamp, and Mrs. Pollard.

Meeting was opened by Dave Pollard at 7 o'clock. Peggy Young led the Pledge of Allegiance.

Dave Pollard: We will now elect the Township Board and Finance Board for 2011. Starting with the Chairman of the WRT Board, do I have any nominations for office?

Peggy Young: I nominate Greg Rainbolt.

Dave Pollard: I second the nomination. Are there any other nominations for Chairman of the WRT Board? Hearing none, I close the nominations for Chairman of the WRT Board. Does any member wish to discuss the nominee? Hearing none, I will entertain a call for the question. All those in favor of electing Greg Rainbolt as Chairman of the WRT Board indicate by saying AYE. All those opposed by saying NAY. The AYES have it 3-0. Mr. Chairman I now turn the meeting over to you.

Greg Rainbolt: We will now elect a secretary for the Township Board and Finance Board. Do I have any nominations for the office of Secretary?

Dave Pollard: I nominate Peggy.

Greg: I second the nomination. Are there any other nominations for Secretary of the WRT Board? Hearing none, I close the nominations for Secretary of the WRT Board. Does any member wish to discuss the nominee? Hearing none, I will entertain a call for the question. All those in favor of electing Peggy Young as Secretary of the WRT Board and the WRT Finance Board indicate by saying AYE. All those opposed by saying NAY. The AYES have it 3-0. This concludes the organization of the board. The next item on the agenda is WRT Resolution 2011-01. Peggy will read Resolution 2011-01. (See attached copy of the Resolution)

Greg: Do I hear a motion for passing the said resolution?

Dave: I will make a motion to pass it.

Peggy: I second.

Greg: A motion being made for a second for WRT Resolution 2011-01. Do I hear any discussion from the board? Being none, hearing no further discussion I will entertain a call for the question. All those in favor of WRT

Resolution 2011-01 indicate by saying AYE. (All Board members said AYE) All those opposed? No one is opposed. The AYES have it 3-0.

Dick Huber: Can you tell us in one sentence what that means? What did you just do?

Greg: Basically it was our determination that when they made final approval on February 1, 2010 that was final, there is nothing in the statute that indicates that it can be amended. They had a date in there, proper functions were not followed and so if they are allowed to amend that statute by their belief, it is our belief also that we can amend that decision.

Dick Huber: So it means it is just off the board?

Peggy and Greg: Correct.

Mark: The final sentence says that they have voted to reject the plan of Reorganization.

Dave: We took final action.

Mark: If they reject the Plan of Reorganization, it is kicked out.

Greg: That is basically what our determinations from the studies and following legal advice.

Dann Veldkamp: Can you specific the portion of the law that says that you can rescind your vote?

Greg: Well there is no portion of the law that says that, it is our opinion when they took final action it should have been put before a vote on the May primary and it was written into the plan on that. There is nothing in the statute that says they can rescind final action. So if it is their opinion that they can amend that, it is our opinion that we can further go and rescind the decision of the board. Okay we need some signatures on these copies. The secretary will read the certification.

(Peggy then read the Certification of the WRT Board to the Chair of the Greenwood-WRT Reorganization Committee, The Greenwood Clerk-Treasurer, The WRT Trustee, The Johnson County Council and the Johnson County Recorder - Please see attached copy)

Greg: Do I have a question to pass the certification as read by the secretary?

Dave: I make a motion to approve.

Peggy: I second.

Greg: Motion has been made and a second for the Certification of WRT Resolution 2011-01. Do I hear any discussions from the board? Hearing no further discussions I will entertain a call for the questions. All those in favor of Certification of WRT Resolution 2011-01 indicate by saying AYE. (All board members said Aye). All those opposed. Passes 3-0. I believe that concludes that business. The next business is the consideration of 2010 yearend report from Jay Marks.

Jay Marks: These are just copies that you can look thru but I will need them back so I can have them stamped. To start out what we have is, do you want to go thru and look at your first sheet, this is pretty self explanatory, the funds have already been spent. Page 1 the ending balance, cash on hand and investments we have \$687,130.90. \$525,000 of that is in CDs with Heartland Community Bank. Poor relief for the year ended up becoming \$65,449.00. Are there any questions from the board?

Dave: What was the last figure you quoted?

Peggy: The poor relief.

Jay: \$65,000. That includes utilities, rent.

Greg: Then the transfer of \$45,798 that was additional appropriations made.

Jay: No, that was part of the CAGIT money transfer. Any questions?

Greg: Okay. Are we going to go thru this page by page?

Jay: I prefer not to. It is irrelevant. It is public record and will be put in two newspapers. If you turn to Part 9 the Certification. You have two options, This report was received and accepted and approved by the board at its annual meeting this date January 2011. And you have Option 2: Where you can approve and accept part of it or all of it. Option 1 or Option 2. You have to take a vote on it and sign it.

Greg: Okay we have a question.

Mark: Is the date the 20th or the date today Jay, you said January 20th but you are approving it today right?

Jay: I said 2011.

Mark: I'm sorry.

Greg: The question, will the secretary read the question. (Peggy read the paragraph of the yearend report that started I, Jay w. Marks, Trustee of WRT do solemnly affirm under the penalty of perjury that the preceding report is complete, true and correct...and she read the two options.) Having read the report do I have a motion for Option 1?

Peggy: I make a motion to accept.

Dave: I second.

Greg: After hearing a motion and it being seconded for this report, do I hear any discussion from the board? Any discussion on Option 1? Hearing no discussion I will entertain call for the question. All those in favor of Option 1 as read by the secretary to receive this report and approve it at this meeting say Aye. (Board members said Aye). Those opposed? Hearing no opposition the Ayes have it. Option 1 is approved.

Jay: Okay what I will have to have you do is sign them and then I will have to retain all and send them off to the state.

Greg: We are going to move on to our next order of business concerning the Township Direct Assistance. This is a transfer of funds. The trustee has requested that we consider a resolution, WRT Resolution 2011-02 to transfer \$30,000 from other direct relief other assistance to personal services to be used for the salaries, wages and employer's social security share. This request is being made in order to continue the employment of our existing part-time clerks. Would the secretary read into record the proposed resolution? (Peggy read the Resolution WRT 2011-02). Do I hear a motion for passing said resolution?

Peggy: I make a motion.

Greg: Do I have a second?

Dave: I second.

Greg: A motion being made and a second for WRT Resolution 2011-02 to transfer funds into WRT Assistance fund. Do I hear any discussion from the board?

Dave: Yes, what is the, okay it says salaries and wages, okay, I'm alright.

Greg: Any questions? I have investigated the clerks' duties. I have stopped in here for a long time and I have seen their functions and what they do. To provide a minimum service you have to provide a service at least in case Mark is not here for somebody to answer the phones and Jay's procedure which I liked was how they separated the duties of interviewing and having him do the final decision and having the knowledge for a new board and a new trustee I think it is very well needed. The girls do great work and they are very capable and I would like to have them on.

Mark: May I just add something?

Greg: Yes.

Mark: The authority to do this is under Indiana Code 6-1.1-18-6 and that was discovered by your new Chairman of the Board. Previously we would have had to do additional appropriations and that is not going to be required tonight and I think he should be applauded for the fact that he discovered this. It was in a memo that was put out by the Dept. of Local Government and Finance in July of 2010. Thank you Greg for finding that out.

Dick Huber: So this does not add or take away from the office?

Greg: No, actually that category is stipulated it can be used for that and that is where it should be used. There is an overage of funds available that it will not have any effect on poor relief. Poor relief last year was around the high \$60,000 or something and there is \$141,000 in there. So that will be sufficient. If it isn't, we will entertain that when the time comes but we believe it is sufficient. This is my personal opinion, that the operation is good.

Ken Baker: Reappropriating \$30,000 to administrative support, utilizing part of the \$140,000 is approved or is okay by law to do that and now we have \$110,000 to administer to other poor relief assistance.

Mark: Actually it is \$111,000.

Greg: Do we have any further discussions? Hearing no further discussion I will entertain a call for the question. All those in favor of WRT Resolution 2011-02 indicate by saying Aye. (All board members said Aye). All those opposed. No opposition, the Ayes have it, 3-0.

Greg: Let's move on to the next portion of the agenda which is consider proposed additional appropriation. Mr. Trustee do you still being the fact that we found that we could do this by a transfer of funds do you want to consider this?

Mark: The only thing that I would ask is that maybe after we have been working for 3-4 months that we come back and revisit this to see if we want part of these funds coming from the general fund instead of all of it coming from assistance. At that time I might bring it to the board again but at this time you have funded what we need for Mary Sue and Mary Lou and I don't think any further action needs to be taken tonight.

Dave: It does more than that doesn't it? It includes you, us...

Mark: No that is later on.

Greg: No, this is for additional appropriation is the question, whether he wants us to entertain that additional appropriation.

Mark: I withdraw it.

Greg: Make it noted that the trustee wanted to withdraw his request for additional appropriation so we will not have a public hearing tonight on additional appropriation.

Jay: Point of order Mr. Chairman, you would not have been able to vote on it anyway because it wasn't _____(inaudible) what you wished to do. You can't do additional appropriations ____ (inaudible) and he also was probably one of the first trustees in the State of Indiana to do something that was illegal prior to even taking office. Also I would like to ask who is going to pay for the, are you going to pay for those mishaps out of your pocket? Because you can't legally use township funds to pay for those legal ads that you put in Mr. Trustee.

Mark: You know what I will look into that Jay and if that is correct I will pay for them.

Jay: I would hope so.

Greg: If you would like to explain yourself on that, your theory on additional appropriation and how you would split it.

Mark: Well you know I basically feel like and I have been told that if they are do nothing but administrative assistance for welfare, then that is where we should pay them from but if they are answering the phone in relationship to other things then they are doing work outside of welfare assistance and administration and therefore we probably need to have funds coming from both areas to properly show the public where we are spending their money, what areas we are spending their money at and that is the consideration there. Also it appeared previously until July that we would have had to had some additional appropriations and that was the feeling that Chuck Nemeth had from SBA and he recently read this and he felt the same way. We all agree now that we have cleaned it up with the IC Code 6-1.1-18-6 and there is no reason to do any additional appropriation.

Greg: Now we will move on to the next order of business since the Trustee has withdrawn the proposed additional appropriation. The next order of business is to consider salary resolution Form 17 and WRT Resolution 2011-03. The trustee has requested that we consider a resolution the WRT Resolution 2011-03, a resolution recommending salaries of the township officers and employees. Will the secretary please read into record the resolution?

Dave: Can I interrupt you for a moment please?

Greg: Yes.

Dave: Jay, we want to tell you thanks for what you have done.

Jay Marks: Well you are welcome. I did it for the people; I did it for the taxpayers.

Greg: Thank you Mr. Marks. Okay back to the salary resolution. (Peggy Young read the Resolution 2011-3 – see attached copy).

Greg: Do I hear a motion for passing said resolution?

Dave: Yes.

Greg: Do I have a second?

Dave: Yes.

Peggy: Yes I second.

Greg: A motion being made and a second for WRT Resolution 2011-03, a resolution recommending salaries of township officers and employees. Do I hear any discussion from the board?

Dave: Yes. Mark I asked you earlier and you did answer me but I would like to put it on public record. In this request you named that these two ladies here as your employees and your investigator you put down one at \$35 per investigation. You did not name anybody in that position. Would you tell us why?

Mark: I have three individuals under consideration for that and once I have a chance to talk to the three individuals I will make a decision and they have all

basically quoted me a price of \$35 per case and that is why I feel comfortable in being able to hire an investigator at \$35 per case.

Dave: In your opinion do they all seem to be qualified?

Mark: They are all are either deputy sheriffs or previous deputy sheriffs of Johnson County.

Dave: Does that make them qualified?

Mark: I believe it does. Two of them have previously done this work for either our township or another township in the county.

Dave: You said each and every one of the three has agreed to the set price?

Mark: Correct.

Dave: Whichever one of the three it might be.

Mark: Correct.

Dave: Sounds good.

Greg: Any other discussion? Hearing no further discussion I will entertain a call for the question. All of those in favor of WRT Resolution 2011-03 indicate by saying AYE (all board members said Aye). All those opposed? None opposed. The Ayes have it 3-0.

Ken Baker: Is that for an elected term or per year?

Greg: Annual.

Dick Huber: Is this a change from year?

Dave: No.

Peggy: It is the same from last year.

Greg: That concludes that portion. Next portion is any other items that may come before the board. Do you have any items Mr. Trustee?

Mark: I would like to make the public aware that it was requested that the meetings continue to be recorded and transcribed by the clerks and then be given to the secretary of the board in order to prepare the minutes for approval. I think that is a service that we should do and we are going to do. I agree with that.

Peggy: Thank you, I appreciate that.

Mark: The other thing is I have asked Paul Reed of Windsong Lane in Greenwood to be the Township Trustee designated and he has accepted and we are going to have a formed letter filled in to that extent which will be given to the Chairperson of the Township and also to the County Sheriff. I just want to make you aware of that.

Greg: Can you explain that for the board and for the public?

Dave: What is Paul Reed going to do?

Mark: Paul will be able if I am incapacitated or if I'm out of the township and not able to sign an important document that needs that signature I can

designate him as my trustee to take care of that and he will have the power to do that.

Dave: Why don't you make him Power of Attorney and get it over with? That way he can take your house and car and everything else.

Mark: This is the way that it is said in the manual.

Greg: In statute.

Mark: That is what he would be able to do.

Peggy: It is just by paper only. He is not getting any..?

Mark: He is not being paid. The only way he would be paid is if I would become totally incapacitated and then you have to fill the vacancy. Someone would have to make him the Trustee.

Dave: If you are incapacitated he would have to take it?

Mark: He would not have to, actually...

Greg: There is a procedure by statute to follow.

Mark: He would have to be appointed to take it to get paid.

Greg: If that would happen we would follow statute on that.

Mark: The other thing that we are in the process of doing is providing the board with an updated township manual from the SBA and also an updated township manual in relationship to budgets with the DLGF. A copy of those I put on the table tonight for the Chairperson and at your next meeting I will have a copy for the secretary and for the board member Mr. Pollard. Other than that, I'm planning on taking the back office in the trustee's office and having 3 desks in there so everyone of the board members will have a desk in that and any time they would want to come in and pull records and look at things and maintain a place in the office they are going to be welcome to. That is something that I think will make it easier for you guys. Other than that, it has been a good start.

Greg: Anything from the board?

Dave: It is new and exciting.

Greg: I would like to put something out there. What we did tonight is basically take off, in our opinion, the merger as it is written and get that finally done away with because as we have studied and investigated at the State House at a public meeting we saw that the procedures that were not followed and the projections that were made up by an illegal body. So that being said WRT itself I would like the community to come together and discuss our future because our future is do we sit still and do nothing and let Greenwood and Bargsville come and absorb us and create donuts and everything? So I would like to give the community every opportunity to explore and get knowledge on different ideas and work with the county and state legislators. If we have to pressure state legislators to give the residents a right to be not overtaken just for our tax

base and our assessed value. So I would like to invite the community, we can set up something and I know Jody (Veldkamp) you are involved in a study there and I want to do what is best for WRT residents and what they want and get it clear and out in the open and see what we are able to do to help our own future, not someone else's. So I would like to propose that and you can contact us, we will be available. It is something that has to be discussed because if we sit still we are just going to be eroded and then they are going to pick what commercial base they want and they are going to leave the sections where they have to put funds into. So I would like to invite the community for that.

Dick Huber: I would encourage you to sometime in the future set a date and announce it for a public meeting.

Greg: We can do that. It is our township, every residents' here townships. It is not us 3 board members or the trustees or anyone, it is our township and we should have a consensus and I don't believe we should get into a study that has a statute right now that says you have this timetable here. I think we should discuss the pros and cons and what is available and as I said what is best for WRT and not what is best for Greenwood or Bargersville and work with the county and work with the state legislators if we have to so we can have our say. Yes Mr. Marks.

Jay: I suggest putting Doc Huber in charge of the whole thing (laughter).

Greg: On another note I would like to thank the voters for their confidants in us and I would like to thank my fellow board members for the election and I would like to thank the new trustee, Mark Messick, he has helped me and Jay Marks who just walked out in the transition. Jay Marks and Mark Messick have been great. They have given me access and they have given me information. We have not had any problems at all and I would like to thank Mr. Messick and Mr. Marks who has left the room and I would like to thank all of community that comes and attends these meetings.

Peggy: Would you like to tell them the next meeting date.

Greg: Yes, we have the next meeting date projected for Tuesday, January 18th at 7:00. It will basically be policy guidelines and welfare guidelines. Do I have any questions from the audience?

Dick Huber: There is a little movement going on about eliminating township government and before some of us go up there and talk to our legislators it is nice to know as a board are we going to be going up there saying one thing and the board saying another thing? Are you permitted to tell us is the board going to be active in this motion?

Greg: I'm going to leave it up to the community. I think that is the options. I think they need to understand that is the options, we can sit still and do nothing but we know the effects of that, we are going to get swallowed up.

Dick Huber: I'm not talking about that, I'm talking about eliminating township government.

Ken Baker: Eliminating township government.

Greg: Okay. That is future government and as far as I'm concerned it is not our township's problem, it is the other townships. Our township is well run compared to other townships and stuff.

Ken Baker: You have 4 years to clean that up.

Greg: I mean inconsideration of the big picture.

Ken Baker: In honesty prior to being recruited to run for township trustee, I had worked towards getting rid of township government because in the past 10 years of misgoverned if that is a word, this township government has been askew for 10 years. The last 4 years there was some bitterness between you Mr. Trustee as the President of the Board and the past trustee was totally 4 year of non-productivity. The 4 years before that has been quite publically noted of how foul those 4 years were. I agreed to run for township trustee only because I thought you know we ought to at least give the voters an opportunity to see that the government could be run effectively at the township level. I think 3 of you are here and committed and campaigned to do that. Mark you have 10 years of history to clean up and I hope that the 4 of you working together can represent this township in a manner in which the people deserve here and not have the type of government that I have witnessed for the past 10 years. I don't think I'm alone.

Greg: I understand that. I'm talking about the big picture as far as finances and waste and everything but as far as the functions I understand what you are talking about and it is our commitment as a Board and I know Dave's and Peggy's feeling on this and Mark has said so, it is not about us, it is about the township, what is best for the township, we are just instrumental.

Ken: I think you have a good start and I know some of you have mentioned to me that you were concerned about not having experience but you have integrity and that is more important than experience.

Greg: I can tell you so far that Mark and I have met several times and we have had a good relationship and I hope to continue that.

Dave: I can't speak for the Board in regard to doing away with township business or officers but I would tell you that I would vote to keep the township officers and I have already talked to and this has been some time ago not just recently with a couple of senators and got their opinions on and I would have to say it is 50/50, one said yes let them go and the other said no. So I don't know how it is going to go but I'm going to fight to keep them because I do think it is essential to have your representation at a nearby place, you don't have to go down to the county or that is what they are wanting them to do, go

to the county in place of your local people. Some people could not even go to the county, they would not have transportation, they would not have the means, and they could not do it. So I still say close to home is best. One of the representatives that I talked to said that he would be in favor of whatever is the cheapest, most efficient, that was his opinion. That is a hard one to argue but I still say the people deserve the best that they can get and that is what I want.

Mark: Part of the problem that I have with township government is not just WRT Mr. Baker, it is with as you go out and look at what is going on across the state and you see people that aren't administrating a larger budget than maybe we are here and they are getting paid 3 or 4 times the amount of money.

Ken Baker: Mark you still have \$625,000 and you have administered \$65,000 in poor relief last year.

Mark: Most likely but it is up to the board next year we very well will have a zero tax rate again. We have already done that.

Ken Baker: For this year.

Mark: Yes. So we are going to spend the \$600,000 down and it needs to be.

Ken Baker: Yes and it hasn't for 10 years, Good Luck.

Greg: Actually Doctor Huber I don't think I really answered your question. At this time no I don't really have any intention for lobbying for township government or against it.

Dick Huber: So often the citizens say we do or don't want this for the schools and then the administrators and the superintendents have their state organizations and they go to the lobbyists and they argue exactly the opposite of what the public has said and I just don't want that to happen and I was just wondering if the board was planning on taking any official action and saying here is the stand that the board is probably going to take.

Greg: It is not my intention, I don't know whether it is for either one them but my duty is to serve the public with what I have here in the township government that I have. It is not to increase my job or anything else. So it is not my intention. Is there anything else? Do I have a motion for adjournment?

Peggy: I make a motion that we adjourn.

Dave: I second. Greg: Meeting is adjourned.

Chairperson Gregory A. Rainbolt _____

Secretary Margaret M. Young _____

Board Member David S. Pollard _____

Attest Trustee Mark W. Messick _____