

COMMISSIONERS EXECUTIVE MEETING 6-2-97

THE COMMISSIONERS MET AT 1:00 P.M. ON JUNE 2, 1997 IN THE COUNTY ATTORNEY'S OFFICE, 141 SOUTH ADAMS STREET, MARION, INDIANA 46952.

THOSE IN ATTENDANCE WERE COMMISSIONERS DICK PUCKETT, DAVID GLICKFIELD AND WALTER WOOD, COUNTY ATTORNEY GENE JOHNSON AND AUDITOR JUDY CARMICHAEL.

MR. JOHNSON OPENED THE MEETING AT 2:00 P.M.

THE FIRST ITEM DISCUSSED WAS THE "OPEN DOOR POLICY".

MR. JOHNSON STATED HE HAD RECEIVED A CALL FROM HENRY HOENIG OF THE CHRONICLE-TRIBUNE TO DISCUSS THE OPEN DOOR POLICY. HE TOLD HENRY THAT THE COMMISSIONERS HAVE A DIFFERENT CODE TO FOLLOW AND UNLESS HENRY WAS AWARE OF A NEW CODE OR A CODE THAT GENE WASN'T AWARE OF, THE COMMISSIONERS DID NOT HAVE TO NOTIFY THE PRESS OR HAVE MINUTES OF ALL THE ADMINISTRATIVE ACTION TAKEN.

MR. JOHNSON TOLD THE GROUP THAT "THIS SECTION DOESN'T APPLY TO THE GOVERNING BODY THAT MEETS IN CONTINUOUS SESSIONS" THE CODE THEY SHOULD FOLLOW IS IC 5-14-1.5-5 SECTION (f)

(f) THIS SECTION SHALL NOT APPLY TO:

1. THE STATE BOARD OF TAX COMMISSIONERS OR ANY OTHER GOVERNING BODY WHICH MEETS IN CONTINUOUS SESSION, EXCEPT THAT THIS SECTION APPLIES TO MEETINGS OF THESE GOVERNING BODIES WHICH ARE REQUIRED BY OR HELD PURSUANT TO STATUE, ORDINANCE, RULE, OR REGULATION; OR
2. THE EXECUTIVE OF A COUNTY OR THE LEGISLATIVE BODY OF A TOWN IF THE MEETINGS ARE HELD SOLELY TO RECEIVE INFORMATION OR RECOMMENDATIONS IN ORDER TO CARRY OUT ADMINISTRATIVE FUNCTIONS, TO CARRY OUT ADMINISTRATIVE FUNCTIONS, OR TO CONFER WITH STAFF MEMBERS ON MATTERS RELATING TO THE INTERNAL MANAGEMENT OF THE UNIT.

"ADMINISTRATIVE FUNCTIONS" DO NO INCLUDE THE AWARDDING OF CONTRACTS, THE ENTERING INTO CONTRACTS, OR ANY OTHER ACTION CREATING AN OBLIGATION OR OTHERWISE BINDING A COUNTY OR TOWN. GENE STATED THAT UNLESS MAKING POLICY OR ENTERING INTO OR SIGNING CONTRACTS, THE PRESS DOESN'T HAVE TO BE NOTIFIED, AND MINUTES AREN'T NEEDED. HE FURTHER STATED THAT THE COMMISSIONERS COULD MEET WITH THE COUNTY ATTORNEY IN EXECUTIVE MEETINGS FOR ALL KINDS OF MEETINGS, GIVING EXAMPLES OF PERSONNEL, REAL ESTATE, ETC. HE SAID ADOPTING POLICY, AND CONTRACTS REQUIRE MINUTES. HE SAID THE COMMISSIONERS SHOULD "SPEAK THROUGH THE MINUTES".

WALT WOOD SAID HE WOULD "JUST AS SOON HAVE THE AUDITOR ACCOMPANY THEM WHENEVER TWO ARE TOGETHER".

DAVID GLICKFIELD SAID, "THEY WANT TO BE ABLE TO READ THE MINUTES AND KNOW WHATEVER BUSINESS HAS BEEN TAKEN CARE OF OR DISCUSSED. HE AGREED "SECTION (f) TAKES THE COMMISSIONERS OUT OF THE "OPEN DOOR POLICY" THAT HENRY KEEPS TALKING ABOUT BUT IF WE DO GO ALONG WITH THAT, WE'RE JUST GOING AN EXTRA STEP". HE SAID AS LONG AS THE AUDITOR WAS IN AGREEMENT TO ACCOMPANY THEM WHENEVER THEY'RE TOGETHER, HE AGREES THAT IT'S A GOOD IDEA.

THE SECOND ITEM DISCUSSED WAS THE SALE OF LAND:

MR. JOHNSON EXPLAINED THAT THE COUNTY CANNOT GIVE PROPERTY TO AN ORGANIZATION, OR SELL AT A NOMINAL FEE, BUT THAT TWO APPRAISALS ARE NEEDED AND THE PROPERTY CAN BE SOLD FOR A MEDIUM PRICE BETWEEN THE TWO APPRAISALS.

HE FURTHER STATED THAT THE MULTIPLE TAX-SALE PROPERTIES, JUST INVOLVED IN THE PUBLIC HEARING, TO BE TRANSFERRED TO NON-PROFIT ORGANIZATIONS FALL UNDER ANOTHER CODE AS "RESIDENTIAL PROPERTY".

JUDY CARMICHAEL MENTIONED THAT HABITAT FOR HUMANITY HAD A LIST OF PROPERTIES THEY WERE INTERESTED IN, BUT HAD MISSED THE HEARING. WALTER WOOD SUGGESTED HAVING ANOTHER HEARING WHEN THE FIRST PROPERTIES WERE TRANSFERRED.

MR. JOHNSON SAID THE COMMISSIONERS COULD, AT THE NEXT MEETING, AUTHORIZE THE CONVEYANCE OF THE PROPERTIES TO THE NON-PROFIT ORGANIZATIONS WITH ANY CONDITIONS THEY WANTED. THE COMMISSIONERS AGREED THAT THEY DID NOT WANT TO ADD ANY CONDITIONS. DAVID SAID THEY WOULD HOLD ON TO THE OLD COUNTY JAIL AT THIS TIME, DUE TO IT BEING INVOLVED IN A LAWSUIT, AND THE NON-PROFIT ORGANIZATION HAVING REQUESTED ADDITIONAL CONDITIONS.

THE THIRD ITEM DISCUSSED WAS THE CCD AND THE CUM BRIDGE FUNDS:

GENE TOLD THE COMMISSIONERS THAT HE HAD TALKED WITH THE AUDITOR'S CHIEF DEPUTY TO ASSIST WITH THE LEGAL REQUIRED TO BE ADVERTISED FOR BOTH THE CUMULATIVE CAPITAL DEVELOPMENT FUND AND THE CUMULATIVE BRIDGE FUND. THE PUBLIC HEARING WILL BE HELD FOR BOTH FUNDS AT 9:00 A.M. ON THE 16TH OF JUNE IN THE COMMISSIONERS OFFICE.

THE FOURTH ITEM DISCUSSED WAS THE DOG WARDEN POSITION:

THE DOG WARDEN AGREEMENT, GUIDELINES AND ORDINANCE WAS DISCUSSED.

GENE STATED THERE IS A PROBLEM WITH THE COMMISSIONERS GIVING JURISDICTION AND POLICE POWERS TO THE DOG WARDEN IN THE TOWNS DUE TO THEM HAVING THEIR OWN ORDINANCES. THE COMMISSIONERS CAN ONLY GIVE THE POLICE POWERS IN THE UNINCORPORATED COUNTY.

DAVID SAID HE KNOWS THAT JOE SETS TRAPS FOR VAN BUREN AND HAS A RECLAIM FEE.

GENE SAID EACH TOWN COULD DESIGNATE THE COUNTY DOG WARDEN AS AN ARM UNDER THEIR ORDINANCES. THE COUNTY WANTS TO CO-OPERATE WITH THE TOWNS. HE ALSO SUGGESTED THAT JOE COULD PICK UP THE DOGS AFTER SOMEONE IN THE TOWN PICKED THEM UP.

DAVID SAID NOONE IN THE TOWNS WOULD BE EQUIPPED OR CAPABLE OF PICKING UP THE ANIMALS.

WALT SAID HE TOLD JOE HE WANTED CONTRACTS FROM THE TOWNS. IF THE COUNTY COULD GET A LETTER FROM EACH TOWN STATING

JOE'S TO FOLLOW THEIR ORDINANCES - EACH TOWN COULD DESIGNATE HIM TO BE THEIR WARDEN.

DAVID AGAIN SAID WE SHOULD DO JUST THE UNINCORPORATED PARTS OF GRANT COUNTY AND HAVE JOE ENTER INTO AN AGREEMENT WITH EACH TOWN AND OPERATE UNDER THEIR ORDINANCE, STATING THE DOG WARDEN NEEDS POLICE POWERS AND THE COUNTY CAN'T GIVE POLICE POWERS IN THE TOWNS.

DICK PUCKETT SAID THE COUNTY SHOULD ALLOW JOE TO USE THE COUNTIES EQUIPMENT, (TRUCK, FREEZER, ETC.) TO BE CO-OPERATIVE.

GENE EXPLAINED THE CHANGES HE MADE AS REQUESTED BY COMMISSIONERS AND THE ONES THAT HE DIDN'T FEEL SHOULD BE MADE.

IN THE PROPOSED ORDINANCE HE DID NOT CHANGE WHERE IT SAID "UNINCORPORATED PART OF GRANT COUNTY", AND DID ADD A \$20.00 CHARGE TO EUTHENIZE AT OWNER'S REQUEST.

IN THE GUIDELINES HE DID NOT INCLUDE THE ADOPTION POLICY OR THE CONDITION THAT ADOPTIVE HOMES MUST GET THE ANIMAL NEUTERED. MR. JOHNSON STATED HE THOUGHT THAT WAS MORE THAN WE WANTED TO GET INVOLVED WITH.

THE AGREEMENT WAS REVISED TO SAY THE SUM OF \$20,000 FOR THE WARDEN'S SALARY.

LAST ITEM DISCUSSED WAS THE HEALTH DEPARTMENT ORDINANCE.

GENE QUESTIONED WHY THEY WERE ASKING TO ADOPT ANOTHER ORDINANCE WHEN THEY JUST DID ONE TWO YEARS AGO AND WHY THEY WOULD SEND FOR ADOPTION WITHOUT ANY DISCUSSION OR EXPLANATION. HE STATED SECTION 6 IS CONTROVERSIAL. TO DISCUSS THIS AGAIN LATER AFTER CHECKING WITH THE HEALTH DEPARTMENT.