

THE SHELBY COUNTY COMMISSIONERS MET AT 8:00 P.M. ON WEDNESDAY JULY 30, 2008. PRESENT WERE COMMISSIONERS NEWTON, MOHR, LAIRD, COUNTY ATTORNEY & COUNTY AUDITOR.

TRUSTEES FROM – ADDISON, BRANDYWINE, HANOVER, JACKSON, MARION, SUGAR CREEK, NOBLE, LIBERTY, HENDRICKS, MORAL, UNION, SHELBY & TRUSTEE LIAISON – LINDA SANDERS
WEED BOARD – TOM EVERHART, JOHN CARSON

NEWTON STARTED THE MEETING OFF BY HAVING ALL OF THE TRUSTEES STANDING UP AND INTRODUCING THEMSELVES BECAUSE SOME OF THE BOARDS DON'T KNOW EACH OTHER.

THIS SPECIAL OPEN MEETING WAS CALLED TONIGHT TO DISCUSS THE ISSUES WITH THE WEED BOARD AND THE POSSIBILITY OF THE TOWNSHIP TRUSTEES FUNDING OF THE WEED BOARD.

TOM EVERHART STARTED BY DISCUSSING THE LAST BUDGET THAT THE HAD. IT WAS AROUND \$8,000 FOR THE YEAR. IF YOU WANT US TO WE WILL CONTINUE TO RUN THIS AND HIRE A PERSON TO GET THE SPRAYING DONE. THE BUDGET DID INCLUDE THE SALARY FOR THE PERSON WHO SPRAYED. HE WONDERED WHY THEY EVER STOPPED BUDGETING THIS. BUT LIFE LONG LIVING HAS RECEIVED \$50,000.00, THIS IS ONLY \$8,000.00 NEWTON ADVISED THAT THEY COULDN'T CONTINUE TO FUND THIS OUT OF HIGHWAY, BECAUSE THIS MONEY IS FROM GAS TAX NOT PROPERTY TAXES. JOHN DEPREZ AND DIANE HAVE BEEN GOING OVER THE STATE CODES AND ACCORDING TO STATE CODE I.C.15-16-8-10 IT STATES THAT IT IS THE TRUSTEES RESPONSIBILITY. SHIRLEY SHEPHERDSON (HANOVER TWP) AS IF IT THE TRUSTEES RESPONSIBILITY, THEN SHOULDN'T OUR BOARD MAKE A DECISION ON THIS NOT THE COMMISSIONERS, NEWTON ADVISED THAT IS TRUE, THEY ARE JUST TRYING TO WORK SOMETHING OUT AND GET THE WEED PROBLEM TAKEN CARE OF. IF YOU WANT TO RE-INSTATE THE WEED BOARD THE COMMISSIONERS HAVE TO DO THAT. SHIRLEY FEELS LIKE THEY WERE NEVER NOTIFIED AND HAVE NO COMMUNICATION WITH THE COMMISSIONERS. FROM WHAT I READ, I DON'T HAVE TO PUT ANYTHING IN OUR BUDGET. I'M ALL FOR THE WEED BOARD, BUT THE COUNTY AND STATE NEED TO TAKE CARE OF THEIR PROBLEM BEFORE I START MAKING OTHERS TAKE CARE OF IT. I'M NOT GOING BACK TONIGHT THE NIGHT BEFORE I MEET WITH THE DLGF AND CHANGE MY BUDGET THIS YEAR. NEWTON SAID THAT IS FINE AND IF YOU DON'T WANT TO REINSTATE THE WEED BOARD THAT IS FINE ALSO, WE JUST WANT TO GET SOMETHING FIGURED OUT BECAUSE THIS HAS BEEN A REALLY BAD YEAR FOR THISTLES. JOHN CARSON SAID YES THE TRUSTEES ARE RESPONSIBLE FOR THE WEEDS. BRUCE KNECHT WAS CHAIRMAN OF THE COMMISSIONERS, BUT AT THAT TIME THERE WAS A RESOLUTION THAT PUT TOGETHER A WEED BOARD AND WAS FINANCED THROUGH THE HIGHWAY DEPARTMENT. I WAS VERY SORRY TO SEE THAT THE COMMISSIONERS QUIT FUNDING THIS. WE HAD THE COUNTY UNDER CONTROL, AND I SEE IT TODAY THAT YOU DON'T SEE IT ON THE FARMERS PROPERTY. I HAVE SEEN A LOT OF JOHNSON GRASS AND MOSTLY IT IS ON THE COUNTY HIGHWAYS AND STATE HIGHWAYS. EVERY ONCE IN A WHILE YOU WILL HAVE TO GET ON SOMEONE. CARSON DIDN'T FEEL THAT THE TRUSTEES HAVE THE LEGAL POWER, OTHER THEN TO NOTIFY THE PROPERTY OWNER OF THE PROBLEM, TO TAKE CARE OF THIS PROBLEM. DEPREZ ADVISED HIM THAT THEY DO HAVE THE AUTHORITY TO TAKE CARE OF THIS. NEWTON SAID ACCORDING TO THE IC CODE, TRUSTEES MAY ENTER THE PROPERTY AFTER GIVING A 48 HOUR NOTICE TO THE PROPERTY OWNER FOR THE PURPOSES OF INSPECTING FOR DETRIMENTAL PLANTS. IF DETRIMENTAL PLANTS ARE PRESENT, THE TRUSTEE MUST NOTIFY THE OWNER AND GIVE THEM FIVE DAYS TO DESTROY THE PLANTS (NOTIFICATION MUST BE GIVEN BY CERTIFIED MAIL OR PERSONAL SERVICE). I.C. CODE DOES SAY IF A COUNTY WEED BOARD HAS BEEN ESTABLISHED PER CODE, TRUSTEE CAN NOTIFY THE WEED BOARD AND THEY CAN EITHER ASSUME JURISDICTION TO

CONTROL THE PLANTS OR DECLINE JURISDICTION A REFER IT BACK TO THE TRUSTEE. IF THE PLANTS ARE NOT DESTROYED THE TRUSTEE SHALL DESTROY THEM AFTER 8 DAYS AFTER NOTIFICATION. THE TRUSTEE CAN CHARGE CHEMICALS, WORK, LABOR ADDITIONALLY THE TRUSTEE CAN CHARGE \$20.00 A DAY FOR SUPERVISION, THE OWNER MUST PAY THE BILL WITHIN 10 DAYS OR THE TRUSTEE CAN PLACE THE COST ON THEIR TAX STATEMENT. CARSON ADVISED THAT THE TRUSTEE'S LEVIES ARE ALL USED UP AND CAN'T RAISE ANYMORE MONEY. WE HAVE CEMETERIES, PARKS AND WITH THE PRICE OF FUEL GOING UP, IT IS COSTING US MORE MONEY TO HAVE THESE PLACES MAINTAINED. NEWTON ADVISED IT MAY TAKE UP TO A YEAR TO GET THINGS ESTABLISHED AND THINGS GOING AGAIN.

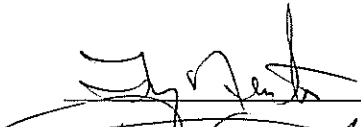
TOM EVERHART ASKED WHY AFTER THE HIGHWAY QUIT FUNDING THE WEED, IT DIDN'T GO BACK TO THE ORIGINAL FUNDING RESOURCE? LAIRD ADVISED HIM THAT THEY HAD PEOPLE BREATHING DOWN OUR NECK. LAIRD SAID HE KNEW THAT THIS WOULD HAPPEN, PEOPLE WOULD REHASH THE PAST. THERE ARE GROUPS OUT THERE THAT LOOK AT EVERY DOLLAR WE SPEND, WHICH IS GOOD. DID WE MESS UP BY CUTTING THE FUNDING YES WE DID. WE WERE ABLE TO FLOAT ALONG FOR TWO YEARS AND THEN WE GOT THE CANADIAN SNOW THIS YEAR. IS A LOT OF THE PROBLEM CREATED IN OUR RIGHT OF WAYS, YES WE HAVE DONE A POOR JOB OF MAINTAINING OUR RIGHT OF WAYS, HOW YOU CAN'T EXPECT US TO NOW ALL OF THE ROAD SIDES IN THE COUNTY. WHAT I'M WANT TO DO TONIGHT, IS GET WHAT EVER IT IS TO GET THIS STARTED, IS IT THE TRUSTEES RESPONSIBILITY, YES THAT IS WHAT CODE SAYS, BUT THE COUNTY IS BIG AND THE TRUSTEES BUDGETS ARE TIGHT. ARE THE COMMISSIONERS ANTI TRUSTEES, NO. YOU MENTIONED MR. GARRETT, UNFORTUNATELY HE GOT PICKED ON BY PEOPLE, BUT I DON'T KNOW OF ONE OVER TURN OF HIS DECISION, BECAUSE HE WENT BY THE RULE. WHAT WE NEED TO DO TONIGHT IS DECIDE WHAT WE ARE GOING TO DO AND WHO IS GOING TO FUND IT. I DON'T THINK THAT WE SHOULD EXPECT THE TRUSTEES TO FUND THE WHOLE BUDGET. WE HAVE ENOUGH IN THE EDIT FUND, TO GET IT STARTED. THERE ARE DIFFERENT SECTORS IN THIS SOCIETY THAT WE HAVE TO TREAT EQUALLY, HAVE WE TURNED OUR BACK ON AGRICULTURE , TO A DEGREE YES. THERE ARE FARMERS THAT WANT US TO BUILD NEW BRIDGES BECAUSE THEY NEED TO GET THEIR EQUIPMENT CERTAIN PLACES. THIS HAS JUST BEEN A BAD YEAR BECAUSE THE WEEDS ARE SO THICK THIS YEAR. I THINK THAT IT WOULD BE BETTER IF WE HAD ONE POINT OF CONTACT INSTEAD OF FOURTEEN. CARSON ADVISED THAT ALL TRUSTEES WANT TO WORK TOGETHER WITH THE WEED BOARD IF THE PROPERTY OWNER DOESN'T COMPLY THEN WE CAN GO TO JOHN DEPREZ AND TURN IT OVER TO THE WEED BOARD. NEWTON SAID WITH NEW CODES AND STUFF THAT HAS COMPLETELY CHANGED. THERE NEEDS TO BE ONE TWP. TRUSTEE, ONE SOIL & WATER CONSERVATION SUPERVISOR, A REPRESENTATIVE FROM AGRICULTURE, A REPRESENTATIVE FROM THE HIGHWAY DEPARTMENT OR AN APPOINTEE FROM THE COUNTY COMMISSIONERS, ONE COOP EXTENSION OFFICE AGENT FROM THE COUNTY TO SERVE AS A NON VOTING ADVISORY, COUNTY HIGHWAY SUPERVISOR AND THE SOIL & WATER DISTRICT SUPERVISOR. THEY WANTED TO KNOW IF YOU SHALL HAVE ALL OF THESE PEOPLE. ADDISON TWP TRUSTEE WANTED TO KNOW, I.C. 15-16-7 COMMISSIONERS MAY ESTABLISH CAN YOU SAY THAT MAY HAVE THESE PEOPLE ON THE BOARD. JOHN DEPREZ DISAGREED, IF THEY MAY ESTABLISH THEN THEY SHALL HAVE ALL OF THOSE REPRESENTATIVES ON THE BOARD. HANOVER TWP SAID SHE HAD TALKED WITH HER BOARD AND THEY ARE NOT IN FAVOR OF FUNDING THIS BOARD. ADDISON TWP ASKED IF WE DON'T ESTABLISH THE WEED BOARD CAN WE ESTABLISH OUR OWN BOARD. DEPREZ SAID THAT THE TRUSTEES WOULD BE 100 % RESPONSIBLE FOR IT. HENDRICKS COUNTY ASKED IF THERE IS ANY WAY TO GET OUR MONEY BACK. THE COUNTY AUDITOR SAID THAT IT GOES ON THEIR PROPERTY TAXES AND IF THEY DON'T PAY AFTER THREE INSTALLMENTS THEN IT WILL GO TO TAX SALE AND IF THAT IS THE ONLY THING ON THE TAX BILL THEN THEIR PROPERTY CAN BE SOLD FOR THAT AMOUNT. AFTER THE MONEY IS COLLECTED THE MONIES THEN GO BACK TO THE TOWNSHIP IN SETTLEMENT. WHAT ABOUT THE STATE, WE CAN BILL THE STATE TOO. SHELBY TWP ASKED IF THEY HAVE A TIME LINE ON THIS. NEWTON ADVISED NO, THEY WERE JUST TRYING TO GET THINGS TALKED ABOUT BEFORE YOU WENT TO THEIR BUDGET MEETINGS. I THINK THAT WE SHOULD LOOK AT THE YEAR OF 2010 AND SEE IF YOU GUYS CAN START THE FUNDING FOR THE REST OF 2008 AND FOR 2009. I

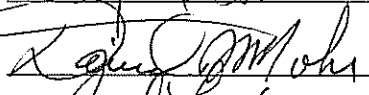
THINK A WEED BOARD AS FAR AS THROUGH THE COMMISSIONERS IS A GREAT THING. THIS IS WHAT WE ARE ASKING. DO YOU WANT A WEED BOARD OR NOT. WE CAN APPOINT A WEED BOARD. HANOVER TWP SAID SHE AGREES WITH A WEED BOARD BUT CANT FUND IT IN 2009, BUT WOULD BE POSSIBLE IN 2010. DEPREZ SUGGEST THAT THE TRUSTEES TO START THE FUNDING IN 2010 AND ENCOURAGE THE TRUSTEES TO TALK WITH THE COUNTY COUNCIL AND GET THEM TO FUND THE WEED BOARD AGAIN IN 2009. JOHN CARSON SUGGESTED THAT WE AS TRUSTEES HAVE A MEETING IN SEPTEMBER AND CAN DISCUSS THIS AND GET BACK WITH THE COMMISSIONER ABOUT THE BUDGET FOR 2010. NEWTON SUGGEST THAT YOU DECIDE IF YOU WANT A WEED BOARD AND WE WILL HAVE TO COME UP WITH THE FUNDING TO GET IT GOING. NEWTON WANTED TO KNOW IF HE WANTED GET ON THE AGENDA. THEY ARE GOING TO HAVE A MEETING RIGHT NOW AND WILL LET THE COMMISSIONERS KNOW. THEY HAVE 12 OF THE 14 TRUSTEES HERE TONIGHT. WHEN IS THE BOARD APPOINTED AND HOW LONG? NEWTON SAID THEY WILL APPOINT THEM IN JANUARY AND THEY TERM IS 4 YEARS. WE WOULD LIKE TO KNOW BEFORE DECEMBER SO THEY CAN START GETTING VOLUNTEERS.

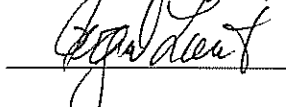
THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD. A MOTION TO ADJOURN WAS MADE BY MOHR SECOND BY LAIRD.
APPROVED 3-0

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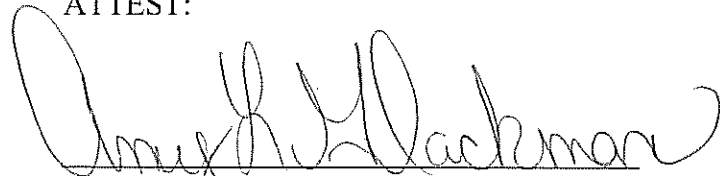
NAYE







ATTEST:



AMY L. GLACKMAN
SHELBY COUNTY AUDITOR