



APPENDIX D

REQUIRED DOCUMENTATION

ORDINANCE NO: 2009 - 004

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF MILLTOWN, INDIANA AS FOLLOWS:

Section 1: Creation of Commission. There is established an Advisory Plan Commission under the authority provided by IC 36-7-4-101 et. seq.

Section 2: Purpose of the Commission. For purposes of IC 36-1-3-6, a unit wanting to exercise planning and zoning powers in Indiana must do so in the manner provided by IC 36-7-4-201. The purpose is to encourage improvements to the health, safety, convenience and welfare of their citizens and to plan for future development of the community to the end that:

- a. highway systems are carefully planned;
- b. the community grows only with adequate public way, utility, health, educational, and recreational facilities;
- c. the needs of agriculture, forestry, industry, and business be recognized in future growth;
- d. residential areas provide healthful surroundings for family life; and
- e. the growth of the community is commensurate with and promotes the efficient and economical use of public funds.

Section 3: Membership of Commission. The membership of the Advisory Plan Commission shall be as provided by IC 36-7-4-207, IC 36-7-4-213, IC 36-7-4-214, and IC 36-7-4-215.

Members of a Commission for an Incorporated Jurisdictional Area. The Advisory Plan Commission of the municipality shall consist of ten (10) members, as follows:

Appointed Municipal Officials and Employees. The Town Council shall appoint as members three (3) persons, who must be elected or appointed municipal officials or employees in the municipal government.

Appointed Citizen Members. The Town Council shall appoint as members four (4) citizen members, of whom no more than two (2) may be of the same political party.

Fringe Area Members. The County Executives of Crawford and Harrison Counties shall appoint one (1) member each from each of the 2-mile Extraterritorial Jurisdictional area abutting the town.

Harrison County Area Plan Commission Advisory Member. The Harrison County Area Plan Commission shall appoint one (1) non-voting member.

Certification of Commission Members. The criteria for the certification of members of the Advisory Plan Commission shall be as provided by IC 36-7-4-212.

The Town Clerk shall certify members appointed by the Town Council. The certificates shall be sent to and made a part of the records of the commission.

Qualifications of Citizen Members. The criteria for citizen members of the Advisory Plan Commission shall be as provided by IC 36-7-4-216.

Each citizen member shall be appointed because of the member's knowledge and experience in community affairs, the member's awareness of the social, economic, agricultural and industrial problems of the area, and the member's interest in the development and integration of the area.

A citizen member may not hold other elective or appointive office in municipal, county, or state government.

A citizen member must be a resident of the jurisdiction area of the plan commission.

Terms of Commission Members. The criteria for the terms of members of the Advisory Plan Commission shall be as provided by IC 36-7-4-217 and IC 36-7-4-218.

The term of office of a member who is appointed from the membership of a legislative body, a park board, or other council on town affairs is coexistent with the member's term of office on that body, board or council.

However, that body, board or council may appoint another to serve as its representative at its first regular meeting in any year.

Term of Citizen Members. Upon the establishment of the Advisory Plan Commission, two (2) citizen members shall be appointed for terms of three (3) years and two (2) members shall be appointed for terms of four (4) years.

Each Citizen Member's term shall expire on the first Monday of January of the second, third or fourth year, respectively, after the year of the member's appointment.

When an initial term of office of a Citizen Member expires, each new appointment of a Citizen Member shall be for a term of four (4) years.

A Citizen Member serves until his or her successor is appointed and qualified.

A Citizen Member is eligible for reappointment.

Section 4: Removal of Commission Member. The criteria for the removal of members of the Advisory Plan Commission shall be as provided by IC 36-7-4-218.

The Town Council may remove a member from the Advisory Plan Commission for cause. The Town Council must mail notice of the removal, along with written reasons for the removal, to the member at his or her residence address. A member who is removed may, within thirty (30) days after receiving notice of removal, appeal the removal to the Circuit or Superior Court of the County of their appointment. The court may, pending the outcome of the appeal, order the removal or stay the removal of the member.

Section 5: Vacancies on the Commission. The criteria in the event of the vacancy of a member of the Advisory Plan Commission shall be as provided by IC 36-7-4-220. If a vacancy occurs among the commission members who are appointed, then the Town Council shall appoint a member for the remainder of the term of the vacating member.

Section 6. Election of Officers. The criteria for the election of officers of the Advisor Plan Commission shall be as provided by IC 36-7-4-303 and IC 36-7-4-304.

President and Vice President. At the first regular meeting in each year, the Advisory Plan Commission shall elect from its members a president and vice president.

Secretary. The Advisory Plan Commission may appoint and fix the duties of a secretary, who is not required to be a member of the commission.

Section 7: Official Action. The criteria for official action of the Action of the Advisory Plan Commission shall be as provided by IC 36-7-4-302. Action of the Advisory Plan Commission is not official, unless it is authorized, at a regular or special meeting, by a majority of the entire membership of the Advisory Plan Commission.

Quorum. The criteria for a quorum of the Advisory Plan Commission shall be as provided by IC 36-7-4-301. A quorum shall consist of a majority of the entire membership of the Advisory Plan Commission, who are qualified by the chapter to vote.

Regular Meetings and Minutes. The criteria for meetings and minutes of the Advisory Plan Commission shall be as provided by IC 36-7-4-306. The commission shall fix the time for holding regular meetings each month or as necessary. The commission shall keep minutes of its meetings. The minutes of commission meetings and all records shall be filed in the office of the commission and are public records.

Special Meetings. The criteria for special meetings of the Advisory Plan Commission shall be as provided by IC 36-7-4-307. Special meetings of the commission may be called by the president or by two (2) members of the commission upon written request to

the secretary. The secretary shall send to all members at least three (3) days before the special meetings, a written notice fixing the time and place of the meeting.

Written notice of the special meeting is not required if

The date, time and place of the special meeting are fixed in a regular meeting; and

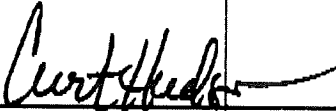
All members of the commission are present at that regular meeting.

Section 8. This ordinance shall be effective from and after the date of passage.

PASSED AND ADOPTED by the Council of the Town of Milltown, Indiana,

this the 30th day of July, 2009.

TOWN COUNCIL OF THE TOWN OF MILLTOWN, INDIANA.



CURT HUDSON, President



JEANNE MELTON, Council Member



JERRY GARRETT, Council Member

ATTEST:



CLERK-TREASURER

MILLTOWN ADVISORY BOARD MEETING

HELD SEPTEMBER 24, 2009 MILLTOWN TOWN HALL

MEMBERS PRESENT BENNY ALLEN, RON FERGUSON, A.JACK CARR, JAMES PEVLOR, AND SCOTT DUBOIS.

MEETING CALLED TO ORDER 6:10 PM

MOTION BY RON SECOND BY JACK TO APPOINT BENNY ALLEN AS PRESIDENT MOTION CARRIED VOTE 4-0

MOTION BY JACK SECOND BY BENNY TO APPOINT RON FERGUSON AS VICE PRESIDENT MOTION CARRIED VOTE4-0

MOTION BY RON SECOND BY BENNY TO APPOINT SCOTT DUBOIS AS SECRETARY MOTION CARRIED VOTE 4-0

ANNUAL MEETING WAS SET FOR THE FIRST WEDNESDAY IN OCTOBER EACH CALENDAR YEAR.

WAS DISCUSSED OF HAVING BONAR GROUP TO MEET WITH BOARD AND STEERING COMMITTEE MEMBERS WEDNESDAY September 30, 2009.

MEETING ADJOURNED AT 6:45

RESOLUTION NO. 2009 - 01

**RESOLUTION ESTABLISHING AN ADVISORY PLAN
COMMISSION AND APPOINTING MEMBERS**

BE IT RESOLVED, by the Town Council of the Town of Milltown, Indiana, that an Advisory Plan Commission pursuant to IC 36-7-4-1-1 et. seq., be and hereby is established effective July 13, 2009.

BE IT FURTHER RESOLVED that the following people shall serve in the Advisory Plan Commission.

Government Members

- 1. Jim Pevlo - Town Manager
- 2. Scott DuBois Fire Chief
- 3. Ray Saylor - Town Marshal

Citizen Members

- 1. Ponnie Ferguson (Three-year term)
- 2. Adon "Jock" Carr (Three-year term)
- 3. Robin Jeffers (Four-year term)
- 4. Bennie Allen (Four-year term)

Extraterritorial Jurisdiction Members

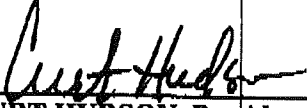
- 1. N/A
- 2. _____

Non-voting Advisory Member

- 1. N/A

PASSED AND ADOPTED by the Council of the Town of Milltown, Indiana, this


the 30th day of July, 2009.



CURT HUDSON, President



JEANNE MELTON, Council Member



JERRY GARRETT, Council Member

ATTEST:



CLERK-TREASURER