

**TOWN COUNCIL MEETING
MONDAY, DECEMBER 10, 2012
6:00 P.M.
OGDEN DUNES FIREHALL**

PRESENT: Charlie Costanza, Bill Gregory, Allen Johnson, Paul Panther, Tom Clouser

MINUTES

Since some Councilmen have not read the draft of the December 3, 2012 meeting, Bill Gregory moved that the minutes be approved at the December 27, 2012 Town Council meeting. Charlie Costanza seconded the motion. All were in favor and the motion was passed.

OLD BUSINESS

The stay for the cull ended on December 11, 2012; therefore, the cull will begin on the morning of December 12, 2012. Charlie Costanza questioned Allen Johnson in regards to having the cull during the Jewish holiday. Charlie stated that he understood that no cull would be done during holidays. Charlie also stated that there is a hearing set for extending the stay on December 21, 2012. Charlie feels that if the Town proceeds with a cull on December 12, 2012, it will look bad for the Town at the hearing on December 21, 2012. Allen Johnson replied that according to the current deer permit, the Town is permitted to go ahead with a cull until the December 21, 2012 hearing date. Paul Panther stated that he would like to clear the record and read from Allen Johnson's statement at the December 3, 2012 Town Council meeting. Paul read as follows: "Culling will not be done over the Thanksgiving weekend for a period of November 21 through November 25, 2012. Culling will not be done for the Christmas and New Year's period, December 24, 2012 through January 1, 2013. Culling will not be done January 16, 2013. Culling will not be done the period from February 15, 2013 through February 18, 2013." Paul stated that there was no reference to any religious issues.

Allen Johnson read Ordinance 773, Deer Management Donation Fund, for the second reading. Paul **Panther made the motion to approve Ordinance 773 and Tom Clouser seconded the motion.** Charlie Costanza questioned the purpose of the ordinance. Allen Johnson stated that any donations made to this fund would defray costs to the Town. Allen Johnson stated that depending on the individual's tax status, this may be a deductible tax donation. He also stated that the donor may remain anonymous if they so desire. Donations can be made at Town Hall. The vote of the Council was as follows: Charlie Costanza, no; Bill Gregory, yes, Allen Johnson, yes; Paul Panther, yes; Tom Clouser, yes. The motion was passed four to one.

NEW BUSINESS

Allen Johnson stated that the Council must clarify a few appointments that were made to the Park Board in the beginning of 2012. Eric Jensen was appointed to replace Charlie Costanza which means that Eric's term should end on December 31, 2012 (the original ending date of Charlie Costanza's term). Brad Wood was appointed to replace Dan Manas. Brad Wood was appointed for a four-year term and has served one year of his term. He will remain on the Park Board for another three years. Charlie Costanza

asked the Clerk-Treasurer to include in any announcements that an opening now exists on the Park Board.

It was suggested by Allen Johnson that the Town Council meeting set for January 7, 2013 be moved to January 2, 2013 due to a lack of quorum on January 7, 2013. Allen stated that by changing the meeting date to January 2, 2013 four members were available as opposed to only three members being available for the January 7, 2013 meeting. **Paul Panther moved that the January 7, 2013 Town Council meeting be moved to January 2, 2013. Tom Clouser seconded the motion. All were in favor and the motion was passed.**

COUNCIL REMARKS

Charlie Costanza stated that there is a conflict of interest of a Plan Commission member. This person has not filed the Conflict of Interest form as required by State law. He accepts money of over \$250. The Clerk-Treasurer has informed Charlie that no form is on file. Charlie stated that this person on the Plan Commission may be guilty of a Class D Felony. There is also an Indiana Open Door Law violation regarding the Architectural Review Committee. They have not notified residents of meeting dates and no agenda or minutes are maintained. This is a committee of the Plan Commission and is run by Mike Falk whose term also expires December 31, 2012. Another member on the Plan Commission, Frank Stimson, brought an illegal voter (Rob Schlyer of the Home Association) to try to break a Park Board vote even though he knew the rules prohibited this. Allen Johnson stated that Frank Stimson did not bring an illegal voter. Allen also stated that he was at the meeting and Rob Schlyer did not vote. Charlie Costanza stated that there was a report that was misrepresented by the Plan Commission stating the report was from Block Manufacturers and the report was really done by Mike Falk. Allan Block denies sending this report and stated that Mike Falk did the report. A stop work order was put in place based on this fraudulent report. Charlie requested that all his previous comments be included in the minutes of this meeting.

No further business coming before the Council, Bill Gregory moved to adjourn the meeting. Paul Panther seconded the motion. All were in favor and the meeting was adjourned.

Allen Johnson, President

ATTEST:

Jean Manna, Clerk-Treasurer