

JOINT RESOLUTION NO. 01-18-2024-1

A JOINT RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF BRISTOL, INDIANA, AND THE TOWNSHIP BOARD FOR WASHINGTON TOWNSHIP OF ELKHART COUNTY, INDIANA ESTABLISHING POLICIES AND PROCEDURES FOR JOINT MEETINGS RELATING TO THE CREATION OF THE BRISTOL WASHINGTON TOWNSHIP FIRE PROTECTION TERRITORY

WHEREAS, the Town of Bristol, Indiana (the “Town”) is a duly formed municipal corporation within the State of Indiana governed by its duly elected Town Council (the “Council”); and

WHEREAS, Washington Township of Elkhart County, Indiana (the “Township”) is a political subdivision of the State of Indiana; and

WHEREAS, the Council and the Township Board of the Township (the “Board”) have agreed to hold a series of joint public hearings for the purpose of considering the formation of a fire protection territory pursuant to Indiana Code § 36-8-19, with such territory called the Bristol Washington Township Fire Protection Territory (the “Territory”); and

WHEREAS, the Town and the Township have provided public notice of three (3) joint public hearings of the Council and the Board to take place on January 26, 2024, February 9, 2024, and February 23, 2024, all beginning at 6:30 P.M. at the Bristol Community Church, 201 South Division Street, Bristol, Indiana, to consider a proposed ordinance, resolution, and an interlocal agreement for the establishment of the Territory beginning with taxes payable in 2025, and a joint public meeting on March 4, 2024, beginning at 6:30 p.m. at the Bristol Town Hall, 303 E. Vistula Street, Bristol, Indiana, to vote to either adopt, reject, or table the ordinance, resolution, and interlocal agreement for the establishment of the Territory (each a “Joint Meeting” and collectively the “Joint Meetings”); and

WHEREAS, the Council and the Board desire to provide for policies and procedures to govern the Joint Meetings to facilitate the sharing of information and reception of public comment from taxpayers of the Territory.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Bristol, Indiana, and the Board of Washington Township of Elkhart County, Indiana, as follows:

Section 1. The foregoing Recitals are fully incorporated herein by this reference.

Section 2. The Council and the Board reiterate that the Joint Meetings are to occur at the date, times, and places identified in the Recitals, and that a quorum of each of the Council and Board shall be present at the Joint Meetings.

Section 3. The Council and the Board appoint the President of the Bristol Town Council to preside over the Joint Meetings (the “Presiding Officer”).

Section 4. The Bristol Clerk-Treasurer shall serve as the Clerk of the Joint Meetings and shall create and maintain such records of the Joint Meetings as those required by law for public meetings of the Council.

Section 5. The Council and the Board agree to adopt the following agenda for the Joint Meetings; *provided*, that the agenda may be amended for any Joint Meeting upon the approval of a majority vote of both the Council and Board:

- i. Call meetings of Council and Board to order
- ii. Roll call of Council and Board; Determination of Quorum
- iii. Appointment of Presiding Officer of Joint Meeting
- iv. Approval of Joint Meeting Agenda
- v. Presentations by Baker Tilly and Bristol Fire Department Corp.
- vi. Public Comment Period
- vii. Adjournment

Section 6. The Council and the Board, pursuant to Indiana Code § 5-14-1.5-3, agree to the reasonable guidelines to govern the Public Comment portions of the Joint Meetings as attached hereto as **Exhibit A** and incorporated herein by reference.

Section 7. This Resolution shall be effective as of the last date of its adoption by the Council and the Board and shall expire March 30, 2024.

* * * * *

RESOLVED THIS __ DAY OF JANUARY, 2024.

TOWNSHIP BOARD OF WASHINGTON
TOWNSHIP OF ELKHART COUNTY,
INDIANA

Greg Bailey

Paul D. Phillips

James M. Weaver

ATTEST:

Michael Lee, Trustee

RESOLVED THIS __ DAY OF JANUARY, 2024.

TOWN COUNCIL OF THE
TOWN OF BRISTOL, INDIANA

Jeff Beachy, President

Cathy Burke

Raymond Dean Rentfrow

Gregg Tuholski

Doug DeSmith

ATTEST:

Cathy Antonelli, Clerk-Treasurer

EXHIBIT A

Public Comment Period Guidelines

[Attached]

Town of Bristol and Washington Township of Elkhart County
Guidelines for Public Comment at Public Hearings on the Creation of the
Bristol Washington Township Fire Protection Territory Pursuant to I.C. § 36-8-19

These Guidelines for Public Comment at Public Hearings on the creation of the Bristol Washington Township Fire Protection Territory (the “Territory”) pursuant to I.C. § 36-8-19 (these “Guidelines”) shall be enforced by and at the discretion of the Presiding Officer of the joint meetings of the Township Board (the “Board”) of Washington Township of Elkhart County, Indiana (the “Township”) and the Town Council (the “Council”) for the Town of Bristol, Indiana (the “Town”) (the Board and Council together the “Governing Body”) for the orderly and civil conduct of the joint meetings of the Governing Body on the creation of the Territory (each a “Joint Meeting” and together the “Joint Meetings”).

1. Individuals that would like to be heard during the public comment period of a Joint Meeting (the “Public Comment Period”) must be recognized by the Presiding Officer before speaking. The person wishing to address the Governing Body shall utilize a sign-in sheet to include their name, address, and township of residence. When addressing the Governing Body, the person must identify themselves by their name, address, and township of residence.

2. For the Public Comment Period, each speaker is allowed five (5) minutes, unless time is extended by the Presiding Officer. The Public Comment Period shall be limited so that the length of the Joint Meeting does not exceed two (2) hours unless such time is modified by a majority vote of the Governing Body.

3. Meeting attendees may not “donate” their speaking time to another person.

4. Speakers are not permitted to comment during the Public Comment Period on topics unrelated to the Joint Meeting.

5. All remarks should be addressed to the Governing Body as a whole.

6. All speakers shall refrain from comment or behavior that involves:

a. Disorderly speech or action; name-calling or personal attacks; obscene or indecent remarks; and derogatory comments on personalities;

b. The private activities, lifestyles, or beliefs of others, including Town or Township employees and elected officials, that are unrelated to the business of the Council, the Board, the Town, or the Township;

c. Advertising or promoting the sale of products, services, or private enterprise;

d. Promoting any contest or lottery; or

e. Promoting candidates for public office or upcoming ballot measures.

7. Any person who fails to comply with the requirements of these Guidelines, or who engages in speech or action as described in Section 6 when such speech or action disrupts, disturbs, or otherwise impedes the orderly conduct of any Joint Meeting, may, at the discretion of the Presiding Officer, be requested to leave the meeting and/or be barred from further audience before the Governing Body during that Joint Meeting or any subsequent Joint Meeting.

8. In addition to the limits specified above, the Presiding Officer may set other reasonable, viewpoint-neutral limits to prevent disruption of the Joint Meetings.

9. No person shall be permitted to address the Governing Body on any item more than once at any one (1) Joint Meeting without the approval of a majority of the Governing Body.

10. These Guidelines do not permit members of the public to join in debate or discussion with speakers, members of the Governing Body, other Town or Township elected or appointed officials, or with other members of the public present at any Joint Meeting. The Governing Body may, but it is not obligated to, provide responses to questions or comments presented by persons during the Public Comment Period.

11. Once a motion is on the floor, discussion from the public shall no longer be permitted on that agenda item.