

RESOLUTION OF M.S.D. OF NORTH POSEY COUNTY
PLAN OF CONSTITUTION – GOVERNING BODY SELECTION CHANGE
PURSUANT TO IC 20-23-8

RESOLUTION NO. 2013-11-11-01

WHEREAS, M.S.D. of North Posey County (“North Posey”) was organized in 1957 and has always been governed by an elected school board.

WHEREAS, North Posey at inception consisted of Smith, Robb, Bethel, Center, and Robinson Townships in Posey County, Indiana, and those townships were divided into three (3) residence districts for purposes of electing a five (5) member school board, with a member from each residence district but no more than two (2) members from one (1) residence district.

WHEREAS, North Posey and Consolidated School Town of New Harmony & Harmony Township (“New Harmony”) adopted a Joint Resolution on January 19, 2012 whereby North Posey annexed New Harmony pursuant to IC 20-23-5 and the annexation was effective July 1, 2012.

WHEREAS, North Posey now consists of Smith, Robb, Bethel, Center, Robinson, and Harmony Townships in Posey County, Indiana.

WHEREAS, pursuant to the temporary plan of constitution approved by the State Board of Education upon annexation of New Harmony, North Posey was allowed time to consider and propose a fair and equitable plan of constitution for the election of all five (5) board members in November, 2014, and for elections thereafter.

WHEREAS, North Posey has held open meetings discussing a plan of constitution, solicited public input, and published in the local newspaper articles describing this proposed plan of constitution that North Posey believes promotes fair and equitable representation, clearly describes and identifies residence districts, and simplifies election ballots.

WHEREAS, North Posey has two (2) elementary schools, one (1) junior high school, and one (1) senior high school, and a plan to divide North Posey into two (2) residence districts generally based upon the boundary line of the two (2) elementary schools districts is fair and equitable based upon population and student enrollment.

THEREFORE, the board of school trustees of North Posey **RESOLVES** as follows:

RESOLVED, that pursuant to IC 20-23-4-27 (c)(2), North Posey board of school trustees shall consist of five (5) elected members elected to four (4) year terms. North Posey shall be divided into two (2) residence districts with two (2) members of the board of trustees residents within Residence District 1 and two (2) members of the board of trustees residents within Residence District 2 as described below. One (1) member of the board of trustees shall be elected at-large and may reside in Residence District 1 or Residence District 2. All candidates must be voted on by all registered voters of North Posey (Residence District 1 and Residence District 2) voting at any board of school trustees election. Board of school trustees shall be elected at general elections when county officials are elected.

When the at-large seat stands for election, North Posey registered voters may vote for two (2) candidates in a residence district and one (1) candidate in the other residence district. Elections when the at-large seat does not stand for election, North Posey registered voters may vote for one (1) candidate from each residence district.

RESOLVED, that Residence District 1 shall consist of the political townships of Smith, Robb, Bethel, and Harmony Townships, and that part of Center Township described below:

1. **North and East of the following described line:**

Beginning at the Harmony and Center Townships boundary line intersection with the center line of Hidbrader Road, thence East and continuing along the center line of Hidbrader Road to its intersection with Stallings Road center line, thence South along the center line of Stallings Road to its intersection with Hidbrader Road center line, thence East and continuing along the center line of Hidbrader Road until the center line of Hidbrader Road turns North.

2. **West of the following described line:**

Continuing North along the center line of Hidbrader Road until the center line of Hidbrader Road turns East.

3. **North of the following described line:**

Continuing East along the center line of Hidbrader Road to its intersection with Springfield Road center line, thence from the center line of Springfield Road continuing due East to the center line of the former Louisville and Nashville Railroad Company (L & N) right-of-way as described in a Quit Claim Deed recorded at Deed Book 95, Page 202, in the office of the Posey County Recorder.

4. **West of the following described line:**

Continuing from the center line of the L & N Railroad Company right-of-way North to its intersection with Main Street, Wadesville, Center Township, and thence continuing 165 feet along the center line of the railroad.

5. **East of the following described line:**

Continuing in a Southeasterly direction 165 feet from and parallel to the center line of Main Street, Wadesville, to the intersection of the center line of Joest Road.

6. **North and West of the following described line:**

Continuing East along the center line of Joest Road to its intersection with Blake Road center line.

7. **North of the following described line:**

Continuing East along the center line of Blake Road to its intersection with Center and Robinson Townships boundary line (Big Creek).

RESOLVED, that Residence District 2 shall consist of Robinson Township and the remaining part of Center Township not included in Residence District 1.

RESOLVED, that Center Township is the only township that is split.

RESOLVED as to the November 2014 election only, all registered voters of North Posey may vote for five (5) candidates: three (3) candidates from one residence district and two (2) candidates from the other residence district.

November 2014 election vote totals shall seat candidates as follows:

A. The candidate from Residence District 1 with the most votes and the candidate from Residence District 2 with the most votes shall have the option to be seated to a two (2) year or four (4) year term in their residence district. The candidates must exercise their option to select a two (2) or four (4) year term by filing a written designation with the Posey County Clerk prior to January 1, 2015. Failure to timely file the designation will result in the candidate or candidates being seated to the four (4) year term.


B. The candidate from Residence District 1 with the second most votes and the candidate from Residence District 2 with the second most votes shall be seated to the other term in their residence district.


C. The remaining candidate with the most votes from either Residence District 1 or Residence District 2 shall be seated to a two (2) year term as the at-large member.

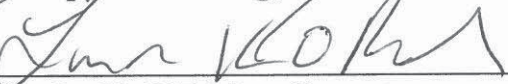
RESOLVED, that this plan of constitution shall be effective upon certification of the plan by the State Board of Education, but no later than July 1, 2014.

RESOLVED, that this resolution and plan of constitution shall be construed to comply with IC 20-23-8-(1-25), and if a provision of this plan violates any part of the Indiana Code, the invalidity does not affect the other provisions or applications of this plan that can be given effect without the invalid provision or application. The provisions of this plan are severable, specifically as set forth in IC 20-23-8-8(b).

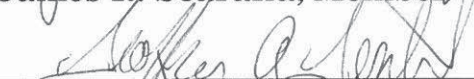
Adopted and approved unanimously by the M.S.D. of North Posey County Board of School Trustees this 11th day of November, 2013.


Stephen H. Bender, President


Joseph D. Neidig, Vice President


Linda K. O'Risky, Secretary


James R. Scarafia, Member


Geoffrey A. Gentil, Member