

**SPENCER COUNTY, INDIANA
ORDINANCE NUMBER 2026-05**

**AN ORDINANCE AMENDING SECTION 32.03 OF THE SPENCER
COUNTY CODE REGARDING THE SPENCER COUNTY
CONVENTION, RECREATION, AND VISITOR COMMISSION**

WHEREAS, Spencer County previously established the Spencer County Convention, Recreation, and Visitor Commission, also referred to in the Spencer County Code as the County Convention, Visitor, and Tourism Commission, under Ordinance 1994-5, as amended by Ordinance 2003-02;

WHEREAS, Section 32.03 of the Spencer County Code currently provides for a seven-member Commission, with four members appointed by the Board of Commissioners, two members appointed by the County Council, and one member appointed by the executive of the largest municipality in the County;

WHEREAS, IC 6-9-18-5 authorizes the county executive to determine the number of Commission members, which must be an odd number, and to determine who will make appointments to the Commission, subject to the appointment rights required by state law;

WHEREAS, House Enrolled Act 1210, effective July 1, 2026, amends IC 6-9-18-5 to require the Commission to include a member appointed by the city executive of each city within the County, other than a city described in IC 6-9-18-5(b) or IC 6-9-18-5(c);

WHEREAS, the City of Rockport is a city within Spencer County, and the Mayor of Rockport is the city executive for purposes of the appointment required by IC 6-9-18-5;

WHEREAS, the Board of Commissioners has historically sought to ensure that Rockport is represented on the Commission and desires to conform Section 32.03 to state law while maintaining a seven-member Commission; and

WHEREAS, the Board of Commissioners therefore finds that one of the four appointments previously made by the Board of Commissioners should be transitioned to the city executive of the City of Rockport, leaving the Commission with seven members.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF SPENCER COUNTY, INDIANA, AS FOLLOWS:

Section 1. Amendment to Section 32.03. Section 32.03(B), (C), (D), (E), and (F) of the Spencer County Code are amended and restated as follows:

§ 32.03 COUNTY CONVENTION, RECREATION, AND VISITOR COMMISSION.

(B) Membership; qualifications.

(1) The Commission shall be composed of seven members, including the member appointed by the city executive of the City of Rockport as required by IC 6-9-18-5.

(2) A simple majority of the members must be:

(a) engaged in a convention, visitor, or tourism business; or

(b) involved in or promoting conventions, visitors, or tourism.

(3) If available and willing to serve, at least two members must be engaged in the business of renting or furnishing rooms, lodging, or accommodations in the County.

(4) Not more than one member may be affiliated with the same business entity.

(5) Except as otherwise permitted by IC 6-9-18-5, each member must reside in Spencer County. A member described in subsection (B)(2) need not reside in Spencer County if the member is an owner or executive-level employee of a convention, visitor, or tourism business located in Spencer County, provided that the member resides in Indiana.

(C) Appointments.

The members of the Commission shall be appointed as follows:

(1) Three members shall be appointed by the Board of Commissioners of Spencer County, one of whom must, if available and willing to serve, be engaged in the business of renting or furnishing rooms, lodging, or accommodations in the County.

(2) Two members shall be appointed by the County Council, one of whom must, if available and willing to serve, be engaged in the business of renting or furnishing rooms, lodging, or accommodations in the County.

(3) One member shall be appointed by the executive of the largest municipality in Spencer County, as provided by IC 6-9-18-5.

(4) One member shall be appointed by the city executive of the City of Rockport, as required by IC 6-9-18-5.

(D) Terms. The term of office of each member shall be two years, beginning January 1, with four members to be appointed in odd-numbered years and three members to be appointed in even-numbered years. The Rockport city executive appointment created by subsection (C)(4) shall assume the term cycle of the commissioner-appointed seat transitioned under this Ordinance.

(E) Reappointment; vacancies. A member whose term expires may be reappointed to serve another term. If a vacancy occurs, the appointing authority for that seat shall appoint a qualified person to serve for the remainder of the term. If an initial appointment is not made by February 1, or a vacancy is not filled within 30 days, the Commission shall appoint a qualified person by majority vote.

(F) Removal. A member appointed to the Commission serves at the pleasure of the member's appointing authority so long as:

(1) the officeholder who appointed the member continues to hold the same office; or

(2) the board, committee, or body that appointed the member retains all of the same members who served on the board, committee, or body when the member was appointed.

If neither subsection (F)(1) nor subsection (F)(2) applies, the member may be removed only for cause.

Section 2. Transition of Rockport Appointment. Effective July 1, 2026, the commissioner-appointed seat currently held by Nancy Kaiser is redesignated as the seat appointed by the city executive of the City of Rockport under Section 32.03(C)(4). The incumbent member may continue to serve in that seat until the earliest of (1) resignation; (2) expiration of

the current term; (3) appointment of a qualified successor by the city executive of the City of Rockport; or (4) removal as permitted by applicable law.

Beginning July 1, 2026, the Board of Commissioners shall have no further appointment authority over that seat, except as may be required to complete the transition contemplated by this Ordinance.

Section 3. Remaining Provisions Unchanged. All provisions of Section 32.03 not amended by this Ordinance remain in full force and effect.


Section 4. Conflict with State Law. This Ordinance is intended to conform Section 32.03 of the Spencer County Code to IC 6-9-18-5, as amended. If any provision of this Ordinance conflicts with IC 6-9-18-5 or other applicable state law, state law controls.


Section 5. Severability. If any provision of this Ordinance, or its application to any person or circumstance, is held invalid, the invalidity does not affect the remaining provisions or applications of this Ordinance that can be given effect without the invalid provision or application.

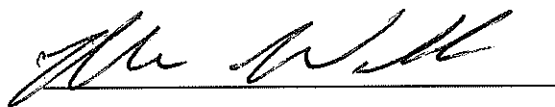
Section 6. Effective Date. This Ordinance takes effect upon passage and any publication required by law, provided that the appointment changes required by Section 1 and Section 2 take operational effect on July 1, 2026.

Passed and adopted by the Spencer County, Indiana, this 4th day of May, 2026.

THE BOARD OF COMMISSIONERS OF
SPENCER COUNTY, INDIANA



Jim Seiler, President


Heather Gries


Malcolm "Mac" Webb

ATTEST:

I, the undersigned Auditor of Spencer County, Indiana, do hereby certify that above and foregoing is a full, true, and complete copy of Ordinance No. 2026-05 passed by the Board of Commissioners of Spencer County, Indiana, on the 4th day of May, 2026, by a vote of 3 AYES and 0 NAYS and now remains on file and on record in my office.


Melissa Bunner, Auditor

