

RESOLUTION 2013- 57

A RESOLUTION OF THE TOWN OF BATTLE GROUND ADOPTING A FISCAL PLAN AND DEFINITE POLICY FOR ANNEXATION OF THE SHAWNEE RIDGE AREA

WHEREAS, The Town Council of Battle Ground, Indiana is considering an annexation of the Shawnee Ridge area pursuant to I.C. § 36-4-3; and

WHEREAS, State law and proper planning require the Town to develop a written fiscal plan and establish a definite policy, by resolution of the Town Council; and WHEREAS, a copy of the written fiscal plan and definite policy for the Shawnee Ridge Annexation is attached hereto and made a part hereof; and WHEREAS, the written fiscal plan and definite policy shows as follows:

(1) the cost estimates of planned services to be furnished to the annexation area, itemized for each municipal department or agency;

(2) the method or methods of financing the planned services, together with an explanation of how specific and detailed expenses will be funded, indicating the taxes, grants and other funding to be used; (3) the plan for the organization and extension of services, detailing the specific services that will be provided and the dates the services will begin; (4) that planned services of a noncapital nature will be provided to the annexation area within one year after the effective date of the annexation in a manner equivalent in standard and scope to those noncapital services provided to areas within the corporate boundaries, regardless of similar topography patterns of land use, and population density; and (5) that planned services of a capital improvement nature will be provided to the annexation area within three years after the effective date of the annexation in the same manner those services are provided to areas within the corporate boundaries, regardless of similar topography, patterns of land use, and population density and in a manner consistent with federal, state and local laws, procedures, and planning criteria.

NOW THEREFORE, BE IT RESOLVED by the Town Council of Battle Ground, Indiana, that:

Section 1. The above recitals are incorporated herein by reference and shall be deemed part of the written fiscal plan and definite policy.

Section 2. Attached as Exhibit A is the written fiscal plan and definite policy which is incorporated by reference. Two copies of the attached are kept on file in the office of the Clerk-Treasurer for public inspection.

Section 3. The Town Council of Battle Ground, Indiana hereby adopts the materials set forth in the attached as the written fiscal plan and definite policy for the annexation area which is the subject of Ordinance No. 2013 - 510 .

Section 4. The sections, paragraphs, sentences, clauses and phrases of this Resolution are severable, and if any phrase, clause, sentence, paragraph or section of this Resolution shall be declared unconstitutional, invalid or unenforceable by the valid judgment or decree of a court of competent jurisdiction, such unconstitutionality, invalidity or unenforceability shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Resolution.

Section 5. This Resolution shall be in full force and effect from and after the date of its passage.

INTRODUCED ON FIRST READING ON THE 10th DAY OF June , 2013.

DULY ORDAINED, PASSED, AND ADOPTED BY THE COMMON COUNCIL OF THE TOWN OF BATTLE GROUND, INDIANA, ON THE 10th DAY OF June , 2013. HAVING BEEN PASSED BY A VOTE OF 5 IN FAVOR AND 0 OPPOSED, THE ROLL CALL VOTE BEING:

Steve Egly
Steve Egly, President

X _____
For Opposed

Brian Brewer
Brian Brewer

Becky Holladay
Becky Holladay

X _____
For Opposed

X _____
For Opposed

David Sturgeon
David Sturgeon

Karen Pearson
Karen Pearson

X _____
For Opposed

X _____
For Opposed

Attest:

Phyllis Hall
Phyllis Hall, Clerk-Treasurer

PRESENTED BY ME TO THE PRESIDENT OF THE TOWN COUNCIL OF BATTLE GROUND, INDIANA ON THE 10 DAY OF June , AT THE HOUR OF 9:00 PM .

Phyllis Hall
Phyllis Hall, Clerk-Treasurer

THIS ORDINANCE APPROVED AND SIGNED BY ME ON THE 10 DAY OF June , AT THE HOUR
OF 9:00 PM .

Steve Egly
Steve Egly, President

Attest:

Phyllis Hall
Phyllis Hall, Clerk-Treasurer