

2008 RESOLUTIONS

NUMBER	DATE	DESCRIPTION
R2008-001	06-25-08	Fiscal Plan for Annexation
R2008-002	07-28-08	Pursue Purchase of Nolan Field house
R2008-003	09-08-08	Delta Electric purchases of generators for town
R2008-004	11-10-08	Issuance of Bonds, Economic Development (Eastside Christian Church)
R2008-005	10-13-08	Storm Water fiscal study
R2008-006	12-08-08	County Hazardous Mitigation Plan
R2008-007	12-29-08	Approving Order of Plan Commission and Declaratory Resolution

Resolution No. 2008-001

A RESOLUTION ADOPTING A WRITTEN FISCAL PLAN
ESTABLISHING A DEFINITE POLICY FOR THE PROVISION OF
NON-CAPITAL AND CAPITAL SERVICES TO CERTAIN REAL
ESTATE THAT IS CONTIGUOUS TO THE EXISTING BOUNDARIES
OF, AND WHICH MAY BE ANNEXED BY SUBSEQUENT
ORDINANCE INTO THE TOWN OF SELLERSBURG, INDIANA

WHEREAS, this Town Council of the Town of Sellersburg, Indiana (hereinafter this "Town Council") is the legislative body of the Town of Sellersburg, County of Clark, State of Indiana (the "Town"); and,

WHEREAS, this Town Council has determined that the following described real estate is contiguous to the existing boundaries of the Town pursuant to the provisions of IC 36-4-3-1.5 (the "Annexation Area"), *to-wit*:

Description and map attached hereto and incorporated herein as Exhibit A.

WHEREAS, this Town Council has determined that the Annexation Area is sufficiently contiguous to statutorily qualify for annexation under the provisions of IC 36-4-3, *et seq.*; and,

WHEREAS, by adoption of this Resolution this Town Council hereby finds that the Annexation Area is needed and will be used by the Town for its development and growth in the reasonably near future; and

WHEREAS, IC 36-4-3-3.1 requires that a municipality shall develop and adopt a written fiscal plan and establish a definite policy by resolution of its legislative body for the provision of non-capital and capital services in conformity with the provisions of IC 36-4-3-13 prior to enacting an ordinance to annex such Annexation Area into the municipality; and,

WHEREAS, at the direction of this Town Council a written fiscal plan entitled "Annexation Fiscal Plan for the Town of Sellersburg, Indiana" dated June 25, 2008 (the "Fiscal Plan") has been prepared, and such Fiscal Plan has been presented to this Town Council for its review and consideration; and;

WHEREAS, this Town Council is desirous of adopting the Fiscal Plan as the definite policy of the Town for the provision of non-capital and capital services to the Annexation Area in order that this Town Council may subsequently consider the annexation of the Annexation Area by separate ordinance; and,

WHEREAS, this Town Council hereby adopts this Resolution in order to fully satisfy such statutory requirements and municipal planning objectives.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF SELLERSBURG, INDIANA, AS FOLLOWS:

Section 1. By adoption of this Resolution, the Town of Sellersburg, Indiana, hereby establishes and adopts the written fiscal plan attached hereto and incorporated herein as Exhibit "B" (the "Fiscal Plan") as the definite policy of the Town for the provision of non-capital and capital services to the Annexation Area prior to consideration of an ordinance to annex the Annexation Area into the Town.

Section 2. The purpose of the Fiscal Plan is to ensure that the Town is physically and financially able to provide municipal services of a non-capital and capital nature to the Annexation Area in a manner that is beneficial to the Town.

Section 3. In the event that the Annexation Area is annexed into the Town by subsequent ordinance properly adopted by this Town Council, it shall be the definite policy of this Town to provide services of both a non-capital and capital nature in the manner described in the Fiscal Plan. Any monies necessary for the provision of services as described and itemized in the Fiscal Plan shall be budgeted and appropriated from the applicable Town fund or funds pursuant to Indiana law and the Town's budget procedure.

Section 4. The Clerk-Treasurer of the Town shall provide a copy of the attached Fiscal Plan without charge to any landowner within the Annexation Area that requests a copy following adoption of this Resolution.

Section 5. A public hearing shall be held by this Town Council on an ordinance to adopt the Annexation Area into the Town at Sellersburg Town Hall on August 28, 2008, at 6:00 o'clock p.m. (prevailing local time) (a date which is not earlier than sixty (60) days after the date this Resolution is adopted and such ordinance is first introduced). All interested parties shall have the opportunity to testify as to the proposed annexation at such hearing. As promptly as practicable after adoption of this Resolution, notice of this public hearing shall be given by the Clerk-Treasurer by (a) publication in accordance with IC 5-3-1, except that the notice shall be published at least sixty (60) days before the hearing, and (b) mailing to each owner of property within the Annexation Area as set forth in IC 36-4-3-2.2.

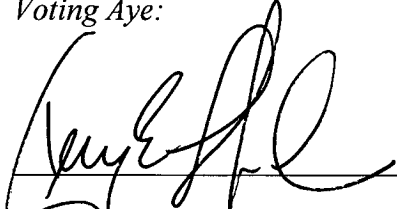
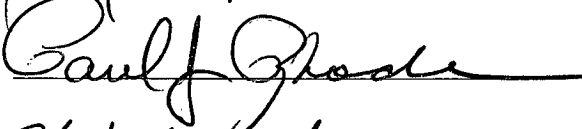

Section 6. This Resolution shall be in full force and effect from the later of the date of its passage and adoption by this Town Council.

SO RESOLVED by this Town Council this 25th day of June, 2008.

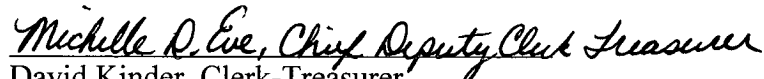
TOWN COUNCIL OF THE TOWN OF SELLERSBURG, INDIANA

Voting Aye:

Voting Nay:

	_____
	_____
	_____
_____	_____
_____	_____

Attested by:


David Kinder, Clerk-Treasurer

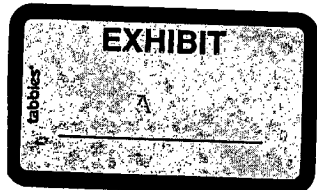
DESCRIPTION OF THE TOWN OF SELLERSBURG INDIANA
2008 ANNEX AREA

A part of Surveys No. 129, No. 147, No. 165, and No. 182 of the Illinois Grant in Clark County Indiana.

Beginning at a point in the existing boundaries of the Town, which is in the northerly right-of-way line of St. Joe Road East, which point is in the line with the easterly right-of-way line of Dreyer Lane if it were extended northerly.

Thence the following courses of the boundary of the Annex Area:

- South 60 deg. 48 min. 42 sec. West 152.07 feet along the northerly right-of-way line of St. Joe Road East which is also the Town Boundary Line;
- South 63 deg. 35 min. 44 sec. West 266.89 feet along the northerly right-of-way line of St. Joe Road East crossing I65 along the Town Boundary Line;
- South 68 deg. 59 min. 49 sec. West 1,298.89 feet along the northerly right-of-way line of St. Joe Road East crossing I65 and Allentown Road, and along the Town Boundary Line;
- South 70 deg. 30 min. 48 sec. West 130.48 feet along the northerly right-of-way line of St. Joe Road East which is the Town Boundary Line;
- North 22 deg. 35 min. 33 sec. West 105.89 feet along the Town Boundary Line;
- South 69 deg. 22 min. 11 sec. West 572.46 feet along the Town Boundary Line crossing Onward Street;
- South 20 deg. 59 min. 51 sec. East 100.00 feet along the Town Boundary Line to the northerly right-of-way line of St. Joe Road East;
- South 65 deg. 48 min. 19 sec. West 658.02 feet along the Town Boundary Line and the northerly right-of-way line of St. Joe Road East;
- South 59 deg. 09 min. 29 sec. West 40.58 feet along the Town Boundary Line and the northerly right-of-way line of St. Joe Road East;
- South 34 deg. 07 min. 03 sec. East 34.96 feet along the Town Boundary Line crossing St. Joe Road East to its' southerly right-of-way line;
- South 55 deg. 11 min. 04 sec. West 481.45 feet along the Town Boundary Line which is the southerly right-of-way line of St. Joe Road East;
- South 62 deg. 10 min. 31 sec. West 407.21 feet along the Town Boundary Line which is the southerly right-of-way line of St. Joe Road East;
- South 64 deg. 07 min. 46 sec. West 196.95 feet along the Town Boundary Line which is the southerly right-of-way line of St. Joe Road East;
- South 54 deg. 29 min. 47 sec. West 151.06 feet along the Town Boundary Line which is the southerly right-of-way line of St. Joe Road East;
- South 51 deg. 35 min. 15 sec. West 616.55 feet along the Town Boundary Line which is the southerly right-of-way line of St. Joe Road East;
- North 39 deg. 32 min. 56 sec. East 162.73 feet along the Town Boundary Line which is the southerly right-of-way line of St. Joe Road East;
- North 34 deg. 57 min. 04 sec. West 14,699.67 feet along the southwest line of Surveys No. 129, 147, 165 and 182 to the southeast line of Bennetsville Road;



North 00 deg. 04 min. 10 sec. West 1,572.16 feet along said southeast line of Bennetsville Road to the southerly line of Sunset Hills Subdivision;

South 66 deg. 34 min. 13 sec. East 113.34 feet along the line of Sunset Hills;

North 88 deg. 25 min. 47 sec. East 141.15 feet along the line of Sunset Hills;

North 64 deg. 25 min. 47 sec. East 59.50 feet along the line of Sunset Hills;

North 84 deg. 25 min. 47 sec. East 271.31 feet along the line of Sunset Hills;

North 56 deg. 25 min. 47 sec. East 192.44 feet along the line of Sunset Hills;

North 22 deg. 25 min. 47 sec. East 64.88 feet along the line of Sunset Hills;

North 08 deg. 25 min. 47 sec. East 258.80 feet along the line of Sunset Hills;

North 20 deg. 25 min. 47 sec. East 237.03 feet along the line of Sunset Hills;

North 20 deg. 25 min. 47 sec. East 123.59 feet along the line of Sunset Hills;

North 26 deg. 25 min. 47 sec. East 179.40 feet along the line of Sunset Hills;

North 54 deg. 25 min. 47 sec. East 679.64 feet along the line of Sunset Hills to the westerly line of Deer Lake Estates Subdivision;

South 34 deg. 34 min. 13 sec. East 478.73 feet along said westerly line of Deer Lake Estates;

North 54 deg. 25 min. 47 sec. East 2,168.48 feet with the southerly line of Deer Lake Estates to the northeast line of Survey No. 182;

South 34 deg. 47 min. 08 sec. East 16,374.22 feet with the northeast line of Surveys No. 182, 165, 147 and 129 to the Point of Beginning and containing 1,852.16 acres of land.

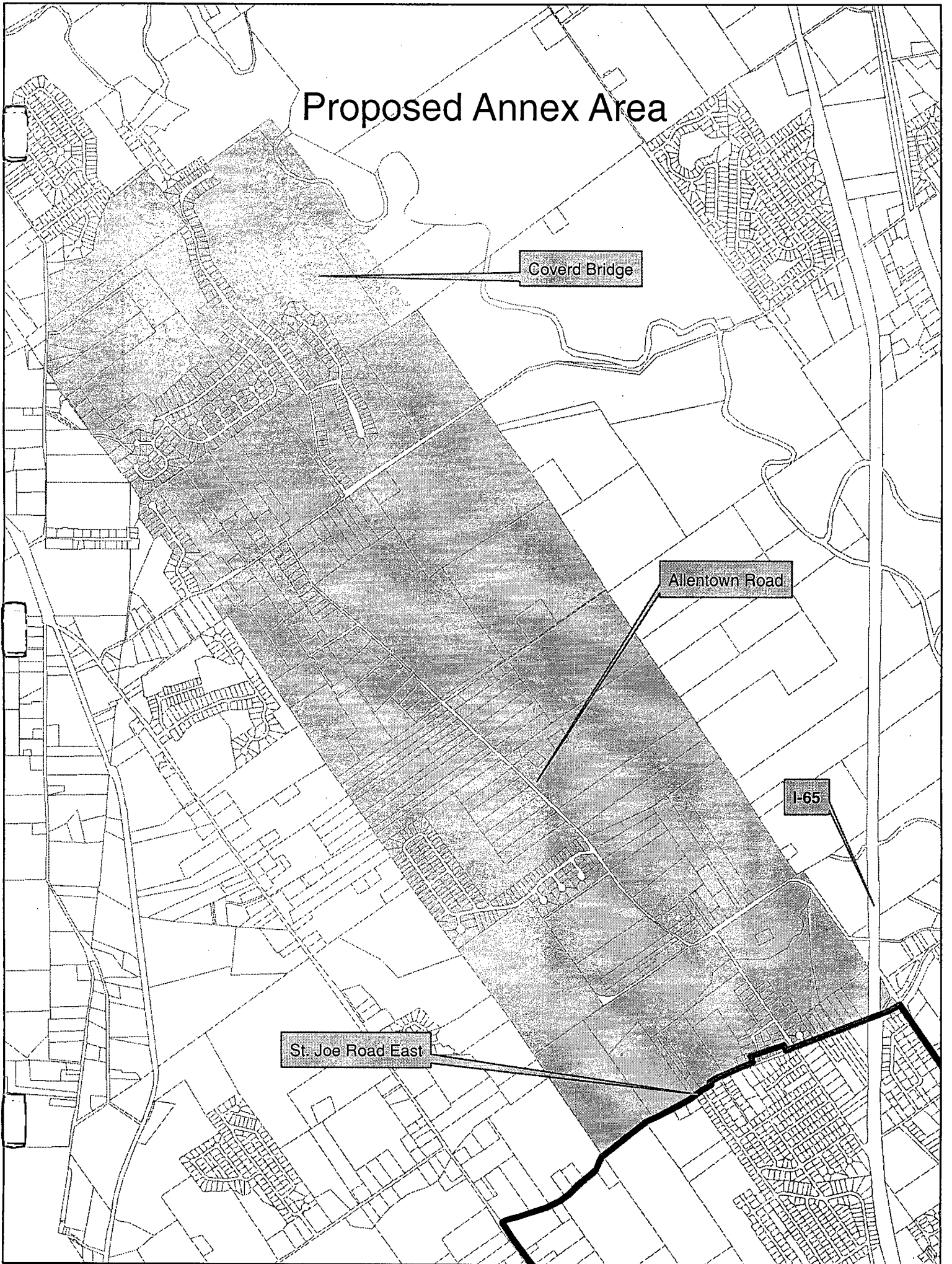
Proposed Annex Area

Coverd Bridge

Allentown Road

I-65

St. Joe Road East



ANNEXATION FISCAL PLAN

FOR THE

TOWN OF SELLERSBURG, INDIANA

COVERED BRIDGE ANNEXATION

June 25, 2008

Prepared by:

*H.J. Umbaugh & Associates
Certified Public Accountants, LLP
Indianapolis, Indiana*

EXHIBIT

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INTRODUCTION

The following fiscal plan (the "Fiscal Plan") is for the proposed annexation of area consisting of parcels to the north of the existing town limits (the "Annexation Area"). The Annexation Area is adjacent to the Town of Sellersburg (the "Town"). The requirements of the code mandate the development and adoption of a written fiscal plan and the establishment of a definite policy by resolution of the Town Council. The Indiana Code states that this fiscal plan must include and provide:

- 1) The cost estimates of planned services to be furnished to the territory to be annexed. The plan must present itemized estimated costs for each municipal department or agency;
- 2) The method or methods of financing the planned services. The plan must explain how specific and detailed expenses will be funded and must indicate the taxes, grants and other funding to be used;
- 3) The plan for the organization and extension of services. The plan must detail the specific services that will be provided and the dates the services will begin;
- 4) That planned services of a non-capital nature, including police protection, fire protection, street and road maintenance, and other non-capital services normally provided within the corporate boundaries will be provided within one (1) year after the effective date of annexation, and that they will be provided in a manner equivalent in standard and scope to those non-capital services provided in areas within the corporate boundaries regardless of similar topography, patterns of land use, and population density; and
- 5) That services of a capital improvement nature, including street construction, street lighting, sewer facilities, water facilities, and stormwater drainage facilities, will be provided to the annexed territory within three (3) years after the effective date of the annexation in the same manner as 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.

This Fiscal Plan may include additional materials in connection with the foregoing. This Fiscal Plan was developed through the cooperative efforts of the Town's various administrative offices and the Town's financial advisors, Umbaugh. This fiscal plan is the result of an analysis of the proposed annexation area.

The Annexation Area is contiguous to the Town and there is a written Fiscal Plan, herein provided, that has been approved by the Town Council.

SECTION I

AREA DESCRIPTION

A. Location, Area Size and Contiguity

The proposed Annexation Area is located on the north side of the existing corporate boundaries of the Town. A map and legal description of the area have been included in attached Appendix I.

The Annexation Area is approximately 1,852 acres. The Annexation Area is more than 12.5% contiguous with the current boundaries of the Town of Sellersburg.

B. Current Land Use

The majority of the Annexation Area consists of residential and agricultural land. Initially, we plan to adopt the Town's zoning classification that most closely reflects the land's current use.

C. Current Population

The current population of the Annexation Area is estimated at 1,225. This figure was arrived at by multiplying the estimated number of households in the Annexation Area by the persons per household figure in the 2000 Census for Clark County.

Estimated Households	500
Population per Household	$\times 2.45$
Estimated Population	<u>1,225</u>

D. Real Property Assessed Valuation

The estimated net assessed valuation for land and improvements in the Annexation Area is \$99,739,500. This represents the assessed value as of March 1, 2006 for taxes payable 2007.

SECTION II

EXISTING UTILITY SERVICES

A. Water

The Annexation Area is currently served by Silver Creek Water.

B. Wastewater

The Annexation Area is currently served by Sellersburg Wastewater.

C. Natural Gas

The Annexation Area is currently served by Indiana Gas.

D. Electricity

The Annexation Area is currently served by Clark County REMC.

SECTION III

EXISTING GOVERNMENTAL SERVICES

A. Police

The Clark County Sheriff's Department currently provides law enforcement service to the Annexation Area. Within one (1) year after the effective date of the annexation, the Town will perform primary law enforcement duties in the Annexation Area.

B. Fire

The Annexation Area is currently served by the Sellersburg Volunteer Fire Department. This will not change as a result of the annexation.

C. Emergency Medical Services

Clark County EMS currently provides emergency medical services to all of Clark County. This will not change as a result of the annexation.

D. Parks

The Annexation Area currently contains no existing parks. There is one (1) park in the Town available for all residents.

E. Planning, Building and Zoning

The Annexation Area is currently under the jurisdiction of the Clark County Plan Commission. The services provided by this office include comprehensive planning, zoning administration and building code regulation and enforcement. Upon annexation, the Town's Planning Commission and Board of Zoning Appeals will take over these duties.

F. Streets

All dedicated streets and the county roads in the Annexation Area are currently maintained by Clark County. The Sellersburg Street Department will be responsible for maintaining the roads in the area within one (1) year after the effective date of the annexation.

G. Solid Waste

Clark County provides recycling and solid waste disposal services to the Annexation Area. This service is also provided to residents in the Annexation Area by private firms. Within one (1) year after the effective date of the annexation, the Town will provide trash and limited yard waste removal to residents of the Annexation Area.

SECTION IV

CAPITAL IMPROVEMENTS

A. Cost of Services

The Annexation Area was evaluated to determine the services and facilities required to provide capital services in the same manner as services that are currently provided within the existing Town's corporate limits.

The Town will provide the following capital services to the Annexation Area no later than three (3) years after the effective date of the annexation in the same manner as those capital services provided to areas within the Town regardless of topography, patterns of land use, and population density and in a manner consistent with federal, state and local laws, procedures and planning criteria. It is currently assumed that the annexation will be effective as of December 31, 2008.

B. Water Service

Silver Creek Water is currently responsible for serving the Annexation Area and this will continue following annexation. No additional costs will be incurred by the Town regarding the provision of water service.

C. Wastewater Service

The Town of Sellersburg currently serves most of the parcels in the Annexation Area; however, some of the parcels are served by privately owned and maintained septic systems. The Town of Sellersburg currently has mixed service in regards to wastewater service. The Town of Sellersburg Wastewater Department serves the majority of the Town of Sellersburg. However, there is a portion of the residences that are served by septic systems. The Clark County Health Department has regulated the installation standards of privately owned and maintained septic systems for the entire county. Therefore, the privately owned and maintained septic systems within the Annexation Area are consistent with those private systems within the Town of Sellersburg's current service area and will not require this utility to be provided. However, those on septic systems must hook up to the Town's sanitary sewers when their septic system fails or needs upgraded at the then current cost to do so. Nothing in this fiscal plan shall limit or affect the county sanitarian from requiring hook up at a prior time. As additional housing units are constructed in the Annexation Area, all necessary capital improvements shall be done at property owner's expense, pursuant to any applicable statutes, ordinances, rules and regulations.

D. Storm Drainage

Storm drainage throughout the Annexation Area will be consistent with the Town's current storm drainage policies and practices throughout the Town. Developers will be responsible to abide by the Town's drainage ordinance. It is anticipated that this will require no additional costs on behalf of the Town.

E. **Street Construction**

Construction of any new streets within the development in the Annexation Area will be the responsibility of the appropriate developer in accordance with the Town Code. Sellersburg will provide construction services for the streets in the Annexation Area in the same manner as those provided to streets within the Town within three years after the effective date of the annexation.



F. **Street Lighting**

Currently, there are no plans or requirements of the Town to provide additional streetlights in the Annexation Area.



SECTION V

NON-CAPITAL IMPROVEMENTS

A. Cost of Services

The Annexation Area was evaluated to determine the services and facilities required to provide services in a manner equivalent in standard and scope to services that are currently provided within the existing Town's corporate limits.

The proposed Annexation Area will require expansion of the existing police and Town maintenance area. The requirements for providing these services and the cost of each of the services were determined based upon the factors and needs of the Annexation Area.

The Town will provide the following non-capital services to the Annexation Area no later than one (1) year after the effective date of the annexation in a manner equivalent in standard and scope to those non-capital services provided to areas within the Town regardless of topography, patterns of land use, and population density.

B. Police Protection

The Town of Sellersburg Police Department's primary purpose is the prevention of crime. The police department patrols the boundaries of the Town on a daily basis and responds to all alarm calls. In addition, the police department provides other services such as detection and apprehension of offenders, traffic control, and preservation of civil order. The police department does not distinguish between different areas of the Town. The same services are provided throughout the Town. The Town has recently hired and equipped two new police officers, which provides the Town with enough capacity to serve the Annexation Area. As shown on page 9, it is anticipated that there will be a small increase in costs to the Town to provide adequate services as a result of the annexation. The estimated additional costs are anticipated to be funded by the General Fund.

C. Fire Protection

The Sellersburg Volunteer Fire Department serves the corporate Town limits of Sellersburg, unincorporated portions of Silver Creek Township and provides mutual aid to surrounding communities and townships. The Sellersburg Volunteer Fire Department specializes in providing fire suppression, basic life support, non-transport EMS, and hazardous materials response at the operations level. The Sellersburg Volunteer Fire Department already provides fire protection service to the Annexation Area; therefore, there will be no increase in costs to the Town to provide these services as a result of the annexation.

D. Street Maintenance

The Sellersburg Street Department will be responsible for the maintenance and snow and ice removal of the streets in the Annexation Area. As shown on page 9, it is anticipated that there will be a small increase in costs to the Town to provide these services as a result of the annexation. The estimated additional costs are anticipated to be funded by the Local Road and Street and Motor Vehicle Highway Funds.

E. Trash Collection and Recycling

The Town of Sellersburg will provide garbage and limited yard refuse collection services to households in the Annexation Area. It is anticipated that the Town will purchase approximately 500 trash cans at a cost of \$65 per can. Also, as indicated on page 9, it is estimated that the Town will incur additional landfill fees of approximately \$18,000. A portion of the increase in costs to provide these services as a result of the annexation will be offset by the additional revenue from the current \$3.00 per month fee per residence. Any additional remaining cost is anticipated to be funded by the General Fund.

F. Street Lighting

The Town does not anticipate any capital costs related to providing streetlights in the Annexation Area. However, as shown on page 9, the Town does anticipate incurring additional costs of approximately \$8,000 related to the monthly purchased power bills for the streetlights in the Annexation Area. The estimated additional costs are anticipated to be funded by the Motor Vehicle Highway Fund.

G. Storm Drainage

Storm drainage maintenance throughout the Annexation Area will be consistent with the Town's current storm drainage maintenance throughout the Town. It is anticipated that there will be no increase in costs to the Town to provide these services as a result of the annexation.

H. Parks

Sellersburg has one (1) park in the Town available to all residents. No additional parkland or recreational facilities are needed due to the annexation.

I. Governmental Administrative Services

The Town does not anticipate that the addition of the Annexation Area will result in a demand for Governmental Administrative Services that cannot be met by the existing staffing of the Town's offices, agencies and departments.

SECTION VI

FISCAL IMPACT

As a result of this annexation, the assessed value for the Town is estimated to increase by \$99,739,500, to \$355,794,565. This represents an increase of approximately 39% initially. Property tax controls instituted by the 2003 Indiana General Assembly limit the Town to a property tax increase equal to the six-year average non-farm income (3.7% for 2008 budget year) annually for most funds. The net impact of increasing the Town's assessed value may result in additional property tax revenues to the Town, and may assist in stabilizing property tax rates for Town residents.

It is assumed that the effective date of this annexation will be December 31, 2008, but it is subject to potential legal challenges that could delay the effective date. Based on the assumed effective date, Annexation Area property owners will not pay property taxes to the Town until 2009 payable 2010. However, the Town will begin providing non-capital municipal services to the property owners no later than one (1) year after the effective date of the annexation, and it will begin providing capital municipal services to the property owners no later than three (3) years after the effective date of the annexation.

Detailed revenue projections were not included in this Fiscal Plan because of the property tax controls. The majority of property taxes paid within the Annexation Area does not represent new revenues, but represent the portion of the Town's levy that is applicable to the Annexation Area taxpayers. Additional state revenues based on population will not be adjusted until the next census.

Estimated new revenues:	
Automatic levy increase*	\$203,700
Annual trash fee revenue	18,000
Estimated new expenses:	
Police Dept. (fuel and maintenance)	(10,000)
Street Dept. (fuel, materials and supplies, and streetlights)	(33,000)
Sanitation Dept. (trash cans and landfill fees)	(50,500)
Net Revenues	\$128,200

* Estimated based on the percentage increase in assessed value, not to exceed 15%. Does not include any of the effects that could result from HEA 1001.

SECTION VII

ASSUMED INDEBTEDNESS

To the extent required by Indiana Code 36-4-3-10, upon request of the Silver Creek or Carr Township Trustee, the Town will assume and pay any unpaid bonds or other obligations of Silver Creek or Carr Township existing at the effective date of the annexation of the Annexation Area in the same ratio as the assessed valuation of the property in the Annexation Area bears to the assessed valuation of all property in Silver Creek or Carr Township, as shown on the most recent assessment for taxation prior to the effective date of the annexation.

Silver Creek and Carr Township has no debt currently outstanding.

RESOLUTION NO. 2008-002

A RESOLUTION BY THE SELLERSBURG TOWN COUNCIL TO PURSUE THE
PURCHASE OF THE NOLAN FIELDHOUSE

WHEREAS, the Sellersburg Town Council is aware that the Nolan Fieldhouse located at
5010 Progress Way, Sellersburg, Indiana is currently for sale; and

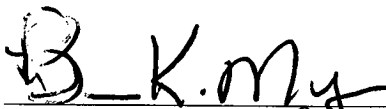
WHEREAS, the Sellersburg Town Council is interested in purchasing the Nolan
Fieldhouse; and

WHEREAS, I.C. 36-1-10.5-5 requires the Town of Sellersburg to pass the herein
Resolution to affirm its interest in the purchase of this structure and appoint a purchasing agent
to pursue the sale; and

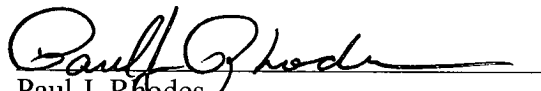
WHEREAS, upon the appointment of a purchasing agent the said individual shall appoint
two appraisers to appraise the fair market value of the structure and said appraisers must be
professionally engaged in making appraisals or be trained as appraisers or licensed as a broker
under I.C. 25-34.1; and

WHEREAS, the Sellersburg Town Council shall receive a copy of both appraisals and
upon receipt of same determine the means or method by which to make said purchase;

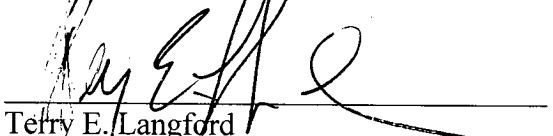
BE IT THEREFORE RESOLVED this 28th day of July, 2008.




Brian K. Meyer
Council President



Paul J. Rhodes
Council Vice President

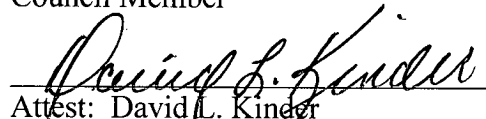


Terry E. Langford
Council Member



Michael N. Lockhart
Council Member

James H. LaMaster
Council Member



Attest: David L. Kinder
Clerk-Treasurer

RESOLUTION NO. R-2008-003

A RESOLUTION APPOINTING DELTA ELECTRIC AS THE PURCHASING AGENT FOR THE TOWN OF SELLERSBURG FOR THE PURPOSE OF SECURING GENERATOR REPLACEMENTS FOR SEWER PLANT

WHEREAS, the Sellersburg Town Council is authorized under Indiana Code to establish purchasing agents for the Town; and

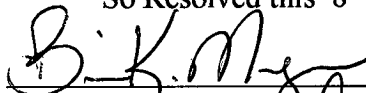
WHEREAS, the Sellersburg Town Council desires to appoint and establish Delta Electric as the purchasing agent for the Town of Sellersburg for the specific purpose of securing replacement generators for the Town's sewer plant and develop specifications and make the actual purchase of said items; and

WHEREAS, the Sellersburg Town Council considered this matter at an open meeting to which the public were invited to attend and participate; and


WHEREAS, the Sellersburg Town Council has determined that the herein Resolution is necessary for the efficient and effective administration of Town government;

BE IT NOW THEREFORE RESOLVED by the Sellersburg Town Council that Delta Electric shall be appointed as the purchasing agent for the specific purpose of securing replacement generators for the Town's sewer plant and to develop specifications and make actual purchase of said items.

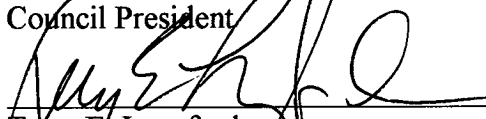
So Resolved this 8th day of September, 2008.



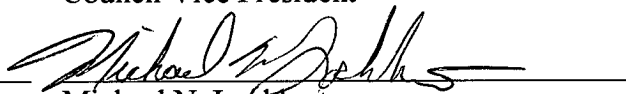
Brian K. Meyer
Council President



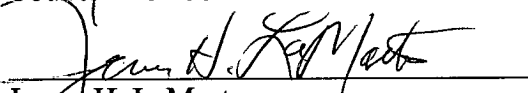
Paul J. Rhodes
Council Vice President



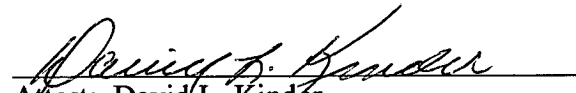
Terry E. Langford
Council Member



Michael N. Lockhart
Council Member



James H. LaMaster
Council Member



Attest: David L. Kinder
Clerk-Treasurer

TOWN COUNCIL RESOLUTION NO. R2008-004

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SELLERSBURG,
INDIANA PROVIDING PRELIMINARY APPROVAL OF THE ISSUANCE OF BONDS FOR
THE PURPOSE OF PROVIDING FINANCING OF CERTAIN ECONOMIC DEVELOPMENT
FACILITIES TO BE OWNED AND OPERATED BY THE EASTSIDE CHRISTIAN
CHURCH OF JEFFERSONVILLE, INDIANA

RESOLVED, by the Town Council of the Town of Sellersburg, Indiana (the "Town"), as follows:

WHEREAS, the Town is authorized by I.C. 36-7-11.9 and 12., et seq. as supplemented and amended (the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction, installation and equipping of said facilities, and said facilities to be either leased to another person or directly owned by another person; and

WHEREAS, The Eastside Christian Church of Jeffersonville, Indiana, a non-profit corporation (the "Applicant"), has advised the Sellersburg Economic Development Commission (the "Commission") and the Town that it proposes that the Town issue and sell its economic development revenue bonds for the purpose of providing financing to the Applicant for certain economic development facilities consisting of the construction, installation and equipping of an approximately 56,000 square foot addition and renovations to an existing facility to be used for education, recreation, cultural and other related activities located at 2319 Veterans Parkway, Jeffersonville, Indiana 47130 (the "Project"), and the Commission has adopted a Resolution, containing the requisite findings of the Commission, recommending that the Town adopt a resolution giving preliminary approval to a proposed issuance of economic development revenue bands for the financing of the Project; and

WHEREAS, the Project will be owned and operated by the Applicant for use as an economic development facility within the meaning of the Act; and

FURTHER RESOLVED, by the Town Council of the Town of Sellersburg, Indiana, as follows:

SECTION 1. The Town Council finds, determines, ratifies and confirms that it is reasonably expected that the project will create employment opportunities in and around the area and that the charitable outreach programs of the Applicant will be a benefit to the Town of Sellersburg and that the general health and welfare of the citizens of the Town would be benefited; and that it is in the public interest that the Town Council take such action as it lawfully may to promote the general welfare of the Town.

SECTION 2. The Town Council further finds, determines, ratifies and confirms that the issuance and sale of economic development revenue bonds of the Town under the Act in an amount not to exceed \$4,500,000 for the Project and the loan of the proceeds of the revenue

bonds to the Applicant will serve the public purposes referred to above, in accordance with the Act.

SECTION 3. In order to induce the Applicant to proceed with the Project, the Town Council hereby finds, determines, ratifies and confirms that:

- (i) It will take or cause to be taken such actions pursuant to the Act as may be reasonably required to implement the aforesaid financing, or as it may deem reasonably appropriate in pursuance thereof; provided that all of the foregoing shall be mutually acceptable to the Town and the Applicant; and
- (ii) It will adopt such ordinances and resolutions and authorize the execution and delivery of such instruments and the taking of such action as may be reasonably necessary and advisable for the authorization, issuance and sale of said economic development bonds;
- (iii) Provided, however, upon the recommendation of the Commission, the Town will impose upon the Applicant an administrative fee of \$1,500 at the time of the issuance of the bonds and \$1,000 thereafter on the anniversary of the issuance of the bonds for two years as compensation.

SECTION 5. All costs of the Project incurred for planning, engineering, interest paid during construction, underwriting expenses, attorney and bond counsel fees, acquisition, construction, installation and equipping of the Project will be permitted to be included as part of the Project costs to be financed out of the loan of the proceeds from the sale of the bonds to the extent permitted by the Act and applicable regulations promulgated under the Internal Revenue Code of 1986, as amended.

SECTION 6. All action taken and approvals given by the Town with regard to the Applicant are based upon the evidence submitted and representations made by the Applicant, its agents and counsel. No independent examination, appraisal or inspection of the Project was made, requested, or is contemplated by the Town.

SECTION 7. The Town does not, by this or any other approval or finding, guarantee, warrant or even suggest that the bonds (if and when issued), coupons or series thereof will be a reasonable investment for any person, firm or corporation.

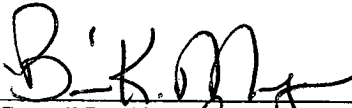
SECTION 8. THE TOWN SHALL NOT BE OBLIGATED, DIRECTLY OR INDIRECTLY, TO SEE TO THE APPLICATION OR USE OF THE PROCEEDS FROM THE SALE OF THE BONDS OR TO SEE THAT THE CONTEMPLATED IMPROVEMENTS, IF ANY, ARE CONSTRUCTED. THE TOWN IS IN NO WAY RESPONSIBLE TO THE HOLDERS OF ANY BONDS FOR ANY PAYMENT OBLIGATION CREATED BY THE BONDS.

SECTION 9. The Town does not warrant, guarantee or even suggest that interest to be paid to or income to be received by the holders of any bond, coupon, or series thereof is exempt from taxation by any local, state or federal government.

SECTION 10. THE BONDS, IF AND WHEN ISSUED, SHALL BE SPECIAL, LIMITED OBLIGATIONS OF THE TOWN PAYABLE SOLELY FROM THE FUNDS PROVIDED BY THE APPLICANT, AND SHALL NOT CONSTITUTE AN INDEBTEDNESS OF THE COMMISSION OR THE TOWN, THE STATE OF INDIANA OR ANY OF ITS OFFICERS OR OFFICIALS, OR A LOAN OF THE CREDIT THEREOF.

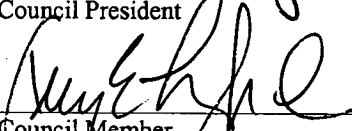
SECTION 11. This Resolution does not constitute a binding obligation of the Commission or the Town to issue the bonds, but instead, is a commitment by the Town to proceed with negotiations for the financing described herein with the Applicant and is subject to the adoption of a bond ordinance by the Town in accordance with the provisions of the Act.

SECTION 12. This Resolution shall be in full force and effect upon adoption and compliance with I.C. 36-4-6 et seq.




Council President

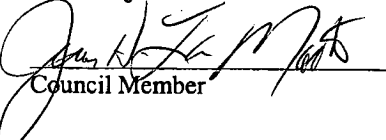
Council Vice President




Council Member



Council Member



Council Member


ATTEST: David L. Kander
Clerk-Treasurer

RESOLUTION NO: R2008-005

RESOLUTION OF THE
TOWN OF SELLERSBURG
AUTHORIZING THE APPROVAL OF THE
STORM WATER DRAINAGE ANALYSIS AND FEASIBILITY STUDY
TO THE INDIANA OFFICE OF COMMUNITY AND RURAL AFFAIRS
AND ADDRESSING RELATED MATTERS

WHEREAS, the Town of Sellersburg has identified adequate reason to analyze the Storm Water Drainage Analysis and Feasibility Study, and

WHEREAS, the Town of Sellersburg hired Jacobi Toombs and Lanz, Inc. to define and describe the issues, advise us of our options and make recommendations to address this issue in the near future, and

WHEREAS, the Town of Sellersburg received federal Community Development Block Grant dollars from the Indiana Office of Community and Rural Affairs to fund this study and the Town of Sellersburg has contributed Fifteen Thousand - Four Hundred (\$15,400) dollars as local match for this project, and

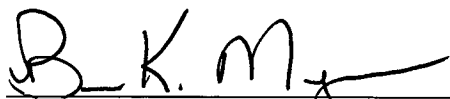
WHEREAS, the Town of Sellersburg has reviewed the process and completed the study thoroughly and is satisfied with the services performed, information contained therein, and methodology applied;

WHEREAS, the Town of Sellersburg received a copy of this document for our records and will keep it on file in the Town offices for future reference, and

NOW THEREFORE, BE IT RESOLVED by the Town of Sellersburg, Clark County, Indiana that:

1. The final document is hereby approved, contingent upon comments and approval received from the Indiana Office of Community and Rural Affairs. The Town of Sellersburg will fully consider all comments and feedback received from the Indiana Office of Community and Rural Affairs and will direct its consultant to provide an amended copy of this plan reflecting all said comments.

Adopted by the Town of Sellersburg, Clark County, Indiana, this 13TH day of October 2008.



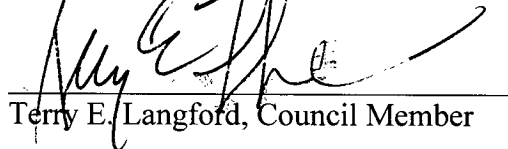
Brian K. Meyer, Council President



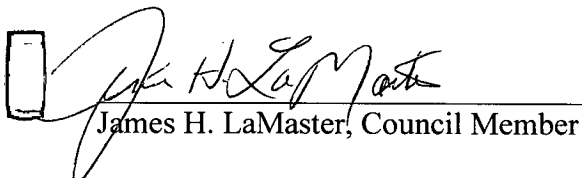
Paul J. Rhodes, Council Vice President



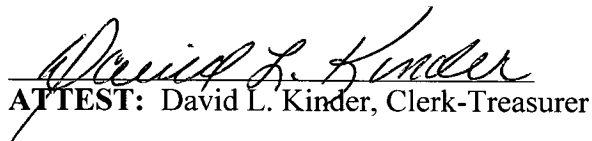
Michael N. Lockhart, Council Member



Terry E. Langford, Council Member



James H. LaMaster, Council Member


ATTEST: David L. Kinder, Clerk-Treasurer

RESOLUTION NO. R-2008-006

ADOPTING THE CLARK COUNTY ALL HAZARDS MITIGATION PLAN

WHEREAS, the Town of Sellersburg recognizes the threat that natural hazards pose to people and property; and

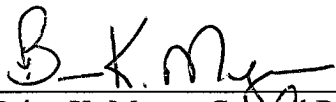
WHEREAS, undertaking hazard mitigation actions before disasters occur will reduce the potential for harm to people and property and save taxpayer dollars; and

WHEREAS, an adopted all hazards mitigation plan is required as a condition of future grant funding for mitigation projects; and

WHEREAS, the Town of Sellersburg participated jointly in the planning process with the other local units of government within the County to prepare an All Hazards Mitigation Plan;

NOW THEREFORE BE IT RESOLVED that the Clark County Emergency Management Agency will submit on behalf of the participating municipalities the adopted All Hazards Mitigation Plan to the Indiana Department of Homeland Security and Federal Emergency Management Agency officials for final review and approval.

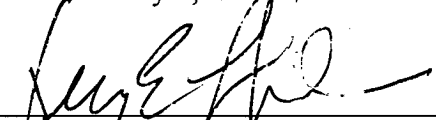
Adopted by the Town of Sellersburg Town Council, Clark County, Indiana this 8th day of December, 2008.



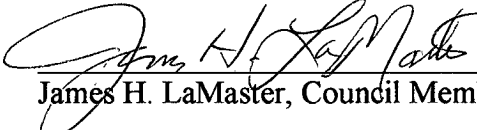
Brian K. Meyer, Council President




Paul J. Rhodes, Council Vice- President



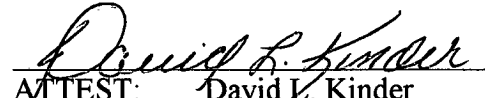
Terry E. Langford, Council Member



James H. LaMaster, Council Member



Michael N. Lockhart, Council Member



ATTEST: David L. Kinder
Clerk-Treasurer

RESOLUTION NUMBER R-2008-007

**RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SELLERSBURG,
INDIANA, APPROVING THE ORDER OF THE SELLERSBURG PLAN
COMMISSION APPROVING THE DECLARATORY RESOLUTION PASSED BY AND
THE ECONOMIC DEVELOPMENT AREA ESTABLISHED BY THE SELLERSBURG
ECONOMIC DEVELOPMENT**

WHEREAS, on December 8, 2008, the Redevelopment Commission (the "Commission") of the Town of Sellersburg (the "Town") adopted Resolution No. 2008-001 (the "Declaratory Resolution") establishing the Sellersburg Economic Development Area (the "Area") as an economic development area under Indiana Code 36-7-14 and 36-7-25 *et seq.*, and all acts supplemental and amendatory thereto (collectively, the "Act"); and,

WHEREAS, the Declaratory Resolution included a Finding of Fact supporting the Declaratory Resolution and incorporated the Economic Development Plan (the "Plan") presented at the December 8, 2008 meeting of the Commission, which Plan contained specific recommendations for economic development of the Area, including road and infrastructure improvements to the Area and related improvements and equipment serving the Area as further described in the Plan (the "Project"); and,

WHEREAS, the Declaratory Resolution established an allocation area (the "Allocation Area") within the Area in accordance with Indiana Code 36-7-14-39; and,

WHEREAS, on December 15, 2008, the Commission submitted the Declaratory Resolution, the Plan, and supporting data to the Sellersburg Plan Commission (the "Plan Commission"), and the Plan Commission issued its written Order approving the Declaratory Resolution and the Plan as submitted; and,

WHEREAS, Indiana Code 36-7-14-16(b) of the Act requires the Town Council of the Town of Sellersburg (the "Town Council") to approve the Order of the Plan Commission; and,

WHEREAS, Indiana Code 36-7-14-41(c) of the Act requires that the determination that a geographic area is an economic development area be approved by the Town Council; and,

WHEREAS, after being fully advised in the matter,

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Sellersburg, as follows:

SECTION I. The Declaratory Resolution and the Plan for the Area are in all respects approved, ratified, and confirmed by the Town Council.

SECTION II. The Order of the Plan Commission, adopted on December 15, 2008, approving the Plan and the Declaratory Resolution is in all respects approved, ratified, and confirmed by the Town Council.

SECTION III. The Clerk-Treasurer of the Town of Sellersburg is hereby directed to file a copy of the Declaratory Resolution, the Plan, and the Order of the Plan Commission with the permanent minutes of this meeting.

SECTION IV. This Resolution shall be in full force and effect immediately upon its adoption.

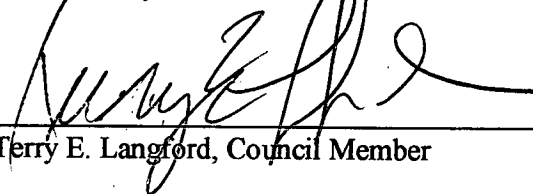
ADOPTED AND PASSED this 29 day of December, 2008 by the Sellersburg Town County, Clark County, Indiana.



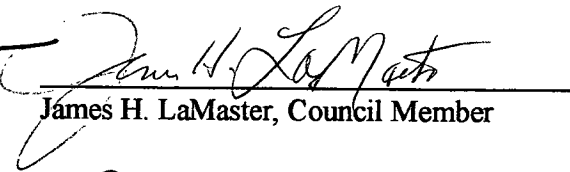
Brian K. Meyer, Council President



Paul J. Rhodes, Council Vice President



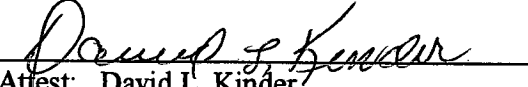
Terry E. Langford, Council Member



James H. LaMaster, Council Member



Michael N. Lockhart, Council Member



Attest: David L. Kinder
Clerk-Treasurer