

2009 Resolutions

| Number | Date | Description |
|------------|------------|---|
| R-2009-001 | 4/27/09 | Transfer of Real Property to Silver Creek Township Park |
| R-2009-002 | 4/27/09 | Appointing Director of Fieldhouse/Purchasing Agent for Fieldhouse |
| R-2009-003 | 5/11/09 | Identity Theft Prevention Program |
| R-2009-004 | 8/10/09 | Vacate Easement (Water Line) |
| R-2009-005 | 9/21/09 | Updated Fiscal Plan for Annexation |
| R-2009-006 | 10/26/09 | Authorizing Deposits, Investments & Re-Investments |
| R-2009-006 | 10/26/2009 | Cellular Telephone Allowance for Clerk Treasurer & Chief Deputy |

RESOLUTION NO. *R 2009-001*

A RESOLUTION AUTHORIZING THE TRANSFER AND CONVEYANCE OF A CERTAIN TRACT OF REAL PROPERTY OWNED BY THE TOWN OF SELLERSBURG TO ANOTHER GOVERNMENTAL ENTITY, THE SILVER CREEK TOWNSHIP TRUSTEE, ON BEHALF OF THE SILVER CREEK TOWNSHIP

WHEREAS, the Town of Sellersburg, Indiana is the owner of a tract of real property consisting of 8.659 acres, more particularly described in Exhibit 1, which is attached hereto and incorporated herein by reference; and

WHEREAS, the Town of Sellersburg wishes to transfer to the Silver Creek Township Trustee the aforementioned 8.659 acres; and

WHEREAS, the Silver Creek Township Trustee wishes to acquire the aforementioned 8.659 acres; and

WHEREAS, the Silver Creek Township Trustee has agreed to pay to the Town of Sellersburg the sum of One Hundred Thousand (\$100,000.00) dollars for the Town of Sellersburg's interest in the herein described parcel of real property; and

WHEREAS, I.C. 36-1-11-8, authorizes governmental entities to exchange or transfer property for any or no amount of cash or property provided both governmental entities adopt substantially identical resolutions; and

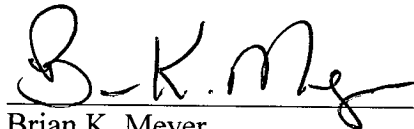
WHEREAS, the Town of Sellersburg has elected to transfer the herein described property because it is adjacent to the Silver Creek Township Park and it would best be used for park purposes which will significantly benefit all residents of the Town of Sellersburg; and

WHEREAS, the herein Resolution was considered at an open meeting to which the public were invited to attend and participate; and

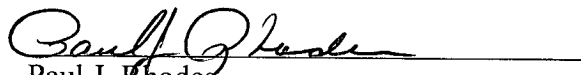
BE IT NOW THEREFORE RESOLVED by the Sellersburg Town Council the herein described real property which is currently owned by the civil Town of Sellersburg and which is

adjacent to the Silver Creek Township park consisting of 8.659 acres shall be and hereby is ordered transferred to the Silver Creek Township Trustee in exchange for the payment of One Hundred Thousand (\$100,000.00) dollars which is in accordance with I.C. 36-1-11-8 which authorizes governmental entities to exchange or transfer property for any or no amount of cash or property provided that both entities adopt substantially identical resolutions, in addition the real property to be transferred and "as is" basis. The Town of Sellersburg does not warrant the property as being marketable or fit for any particular purpose.

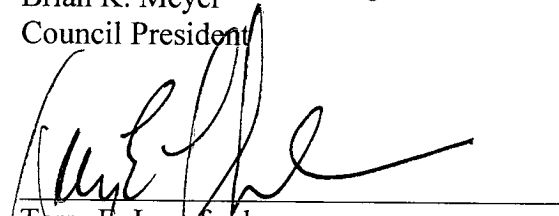
So Resolved by the Sellersburg Town Council on this 27th day of ~~March~~^{April}, 2009.




Brian K. Meyer
Council President



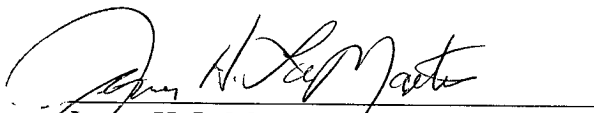
Paul J. Rhodes
Council Vice President



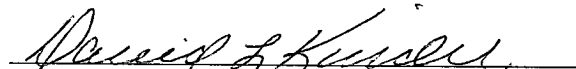
Terry E. Langford
Council Member



Michael N. Lockhart
Council Member



James H. LaMaster
Council Member



Attest: David L. Kinder
Clerk-Treasurer

RESOLUTION NO. R-2009-002

A RESOLUTION APPOINTING THE DIRECTOR OF THE SELLERSBURG/NOLAN FIELDHOUSE AS THE PURCHASING AGENT FOR THE TOWN OF SELLERSBURG FOR THE NECESSARY PURCHASES OF THE SELLERSBURG/NOLAN FIELDHOUSE

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 the Director of the Sellersburg/Nolan Fieldhouse as the purchasing agent for The Town of Sellersburg for necessary purchases; and

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

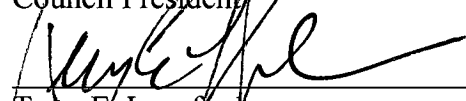
WHEREAS, the Sellersburg Town Council has determined that the herein Resolution is necessary for the efficient and effective administration of Town government;

BE IT NOW THEREFORE RESOLVED by the Sellersburg Town Council that the Director of the Sellersburg/Nolan Fieldhouse shall serve as the purchasing agent on behalf of the Town of Sellersburg to make all necessary purchases for the Sellersburg/Nolan Fieldhouse.

So Resolved this 27th day of April, 2009




Brian K. Meyer
Council President



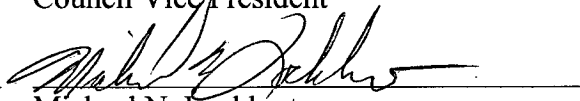
Terry E. Langford
Council Member



James H. LaMaster
Council Member



Paul J. Rhodes
Council Vice President



Michael N. Lockhart
Council Member

Attest: David L. Kinder
Clerk-Treasurer

RESOLUTION NO. 2009- 003

A RESOLUTION OF THE SELLERSBURG TOWN COUNCIL ADOPTING IDENTITY
THEFT PREVENTION PROGRAM

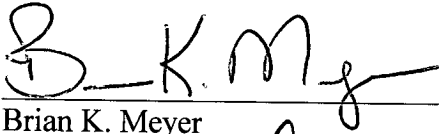
WHEREAS, the Sellersburg Director of Municipal Works, Kenneth J. Alexander has prepared an Identity Theft Prevention Program for the Town of Sellersburg Water and Wastewater Utilities; and

WHEREAS, the Sellersburg Town Council believes that the formal adoption of the Identity Theft Prevention Program for the Town of Sellersburg Water and Wastewater Utilities is in the best interest of Town government; and

WHEREAS, the herein Resolution was considered at an open meeting to which the public were invited to attend and participate;

BE IT NOW THEREFORE resolved by the Sellersburg Town Council that the Identity Theft Prevention Program for the Town of Sellersburg Water and Wastewater Utilities as prepared and submitted by the Director of Municipal Works, shall be and hereby is adopted as the Town's official policy to be implemented on a day-to-day basis for prevention of Identity Theft. All provisions of the Identity Theft Prevention Program for the Town of Sellersburg Water and Wastewater Utilities as contained in the exhibit 1 attached hereto shall be incorporated by reference as if fully set forth herein.

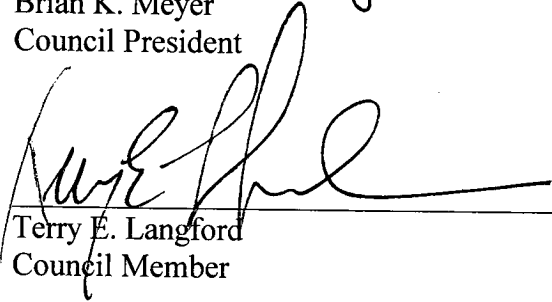
So Resolved this 11th day of May, 2009.



Brian K. Meyer
Council President



Paul J. Rhodes
Council Vice President



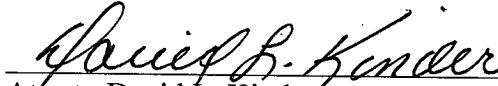
Terry E. Langford
Council Member



Michael N. Lockhart
Council Member



James H. LaMaster
Council Member



Attest: David L. Kinder
Clerk-Treasurer

BEFORE THE TOWN COUNCIL OF SELLERSBURG, INDIANA

RESOLUTION # R2009-004

**A RESOLUTION APPROVING AN AGREEMENT TO
RELOCATE WATER LINE AND VACATE EASEMENT
FOR THE SELLERSBURG, INDIANA MUNICIPAL WATER UTILITY**

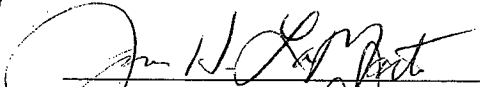
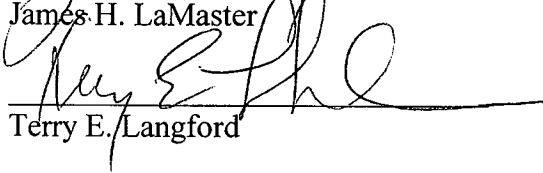
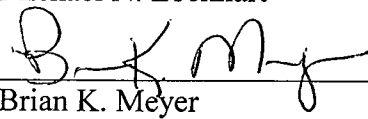
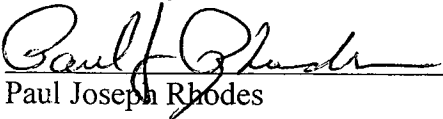
WHEREAS, The Town of Sellersburg owns and operates a water utility, known as Sellersburg Municipal Water; and,

WHEREAS, in the interest of economic development it appears desirable to relocate one of the water transmission lines, which relocation necessitates obtaining a new easement and vacating a portion of an existing water line easement; and,

WHEREAS, a tentative Agreement has been negotiated which will accomplish the foresaid objectives at no expense to the Town of Sellersburg or the Sellersburg Municipal Water utility. A copy of that Agreement is attached hereto, incorporated by reference herein, and marked as "Exhibit 1".

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Town Council of the Town of Sellersburg that the *Agreement To Relocate Water Line And Vacate Easement* attached hereto as Exhibit 1, should be, and hereby is, approved.

ALL OF WHICH IS RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF SELLERSBURG ON THIS ____ DAY OF JULY, 2009.

| | Voted In Favor | Voted Against | Abstained | Absent |
|---|-------------------------------------|--------------------------|--------------------------|--------------------------|
|  James H. LaMaster | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|  Terry E. Langford | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Michael N. Lockhart | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|  Brian K. Meyer | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|  Paul Joseph Rhodes | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

ATTEST:

Date: 8/10/2009



~~David Kinder, Clerk/Treasurer~~ Michelle D. Eve
Town of Sellersburg, Indiana Chief Deputy Clerk/Treasurer

EXHIBIT A

Being a part of Survey #89 of the Illinois Grant to Clark County, Indiana and being further described as follows:

Beginning at a stone on the common corner to Surveys 87, 88, and 89; Thence North $55^{\circ}57'52''$ East, 2005.92 feet to a steel pin; Thence South $7^{\circ}32'35''$ East, 494 feet to a steel pin; Thence North $81^{\circ}44'26''$ East, 418.82 feet to an iron pipe on the west Right-of-Way line of State Highway 31; Thence South $7^{\circ}32'35''$ East, along said Right-of-Way line, 998.31 feet to steel pin; Thence South $82^{\circ}27'25''$ West along said Right-of-Way line, 10 feet to a concrete Right-of-Way marker; Thence South $7^{\circ}32'35''$ East, along said Right-of-Way line, 304.8 feet to a steel pin dividing Surveys 67 and 89; Thence South $54^{\circ}15'52''$ West, along said dividing line, 1557.19 feet to a stone on the common corner to Surveys 67, 87, and 89; Thence North $34^{\circ}32'05''$ West 1832.32 feet to the PLACE OF BEGINNING.

Containing 77.892 acres and being subject to all easements of record.

Resolution No. R-2009-005

A RESOLUTION AMENDING RESOLUTION 2008-001 AND ADOPTING THE UPDATED 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.

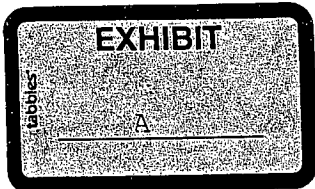
DESCRIPTION OF THE TOWN OF SELLERSBURG INDIANA
2008 ANNEX AREA

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;

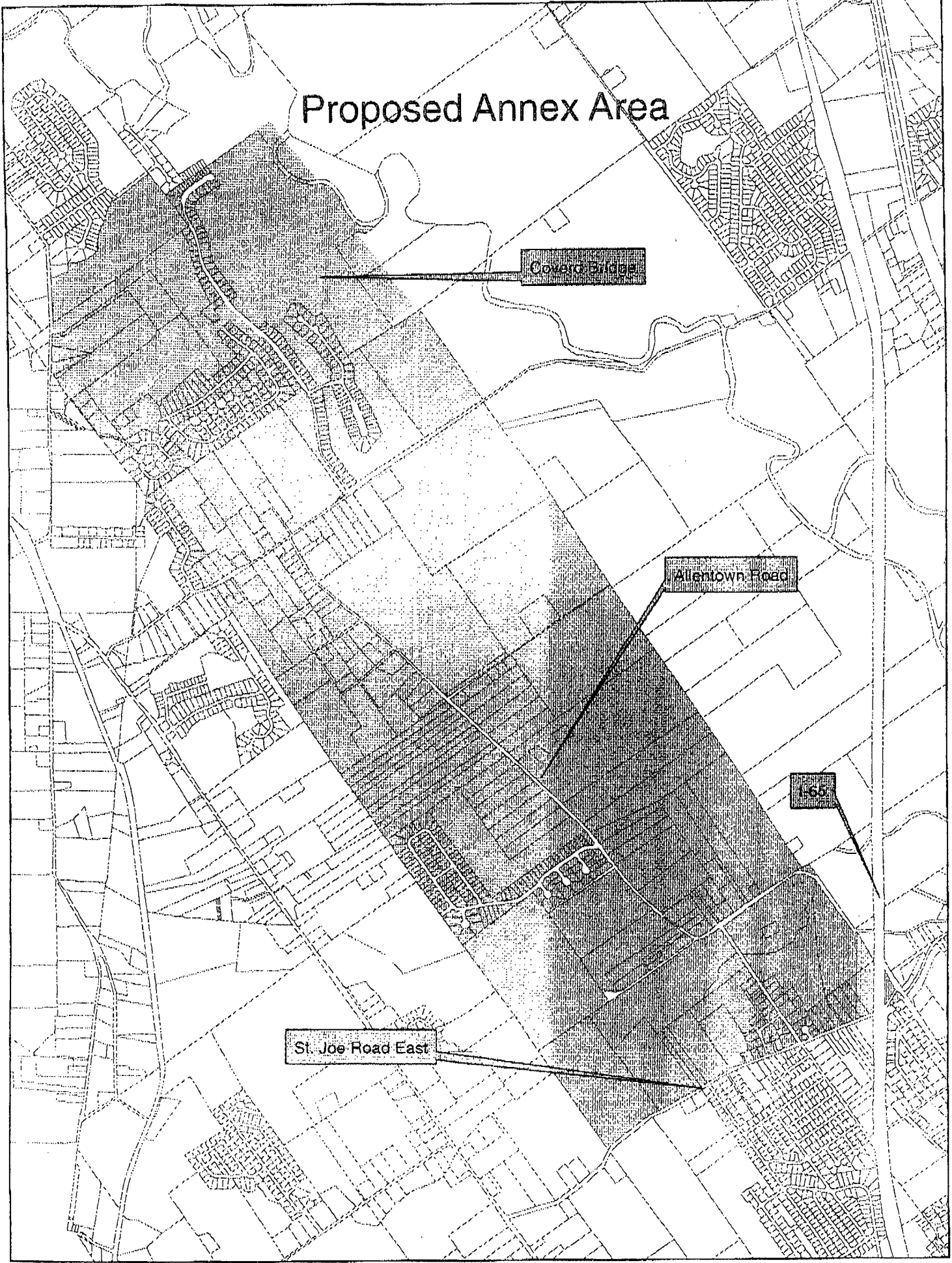
North 54 deg. 25 min. 47 sec. East 679.64 feet along the line of Sunset Hills to the westerly line of Deer Lake Estates Subdivision;

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



ANNEXATION FISCAL PLAN

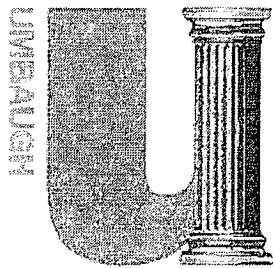
FOR THE

TOWN OF SELLERSBURG, INDIANA

COVERED BRIDGE ANNEXATION

September 14, 2009

Prepared by:



It's all about experience.

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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 1,250. 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 | 510 |
| Population per Household | <u>x 2.45</u> |
| Estimated Population | <u>1,250</u> |

D. Real Property Assessed Valuation

The estimated net assessed valuation for land and improvements in the Annexation Area is \$92,737,148. This represents the assessed value as of March 1, 2008 for taxes payable 2009.

SECTION II

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 are two (2) parks 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 III

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 January 1, 2011.

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. The existing streets within the Annexation Area are in very similar condition to existing Town streets. 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**

The Town considers the need for streetlights on a case-by-case, neighborhood-by-neighborhood basis to determine the need and justification for streetlights in a particular area. At this time, it is anticipated that the Town will add approximately 25 streetlights to the Annexation Area. The estimated capital cost for adding these streetlights is \$28,500. The estimated cost is anticipated to be funded by the Motor Vehicle Highway Fund.

SECTION IV

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 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 8, 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 8, 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 510 trash cans at the then current cost, which is currently \$72.97 per can. Also, as indicated on page 8, 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 \$8.00 per month fee per residence (assumes one (1) can). Any additional remaining cost is anticipated to be funded by the General Fund.

F. **Street Lighting**

At this time, it is anticipated that approximately 25 new streetlights will be added in the Annexation Area. As shown on page 8, the Town anticipates incurring additional costs of approximately \$9,800 per year 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 two (2) parks 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 V

FISCAL IMPACT

As a result of this annexation, the assessed value for the Town is estimated to increase by \$92,737,148, to \$326,944,914. This represents an increase of approximately 39.6% initially. Property tax controls instituted by the 2002 Indiana General Assembly limit the Town to a property tax increase equal to the six-year average non-farm income (3.8% for 2010 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 January 1, 2011, 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 2011 payable 2012. 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.

It is anticipated that the Town will realize an increase in its levy as a result of the annexation. However, the percentage increase in the levy will not exceed the percentage increase in the Town's assessed value; therefore, there will not be a tax rate increase as a direct result of this annexation. Due to the effect of tax caps, the Town may not realize the entire estimated increase in levy.

| | |
|---|-----------|
| Estimated new revenues: | |
| Automatic levy increase* | \$219,000 |
| Annual trash fee revenue | 48,960 |
| Estimated new expenses: | |
| Police Dept. (fuel and maintenance) | (10,000) |
| Street Dept. (fuel, materials and supplies, and streetlights) | (63,300) |
| Sanitation Dept. (trash cans and landfill fees) | (55,215) |
| Net Revenues | \$139,445 |

* 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 VI

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 have no debt currently outstanding.

SO RESOLVED by this Town Council this 21st day of September, 2009.

TOWN COUNCIL OF THE TOWN OF SELLERSBURG, INDIANA

Voting Aye:

Voting Nay:

B. K. Myers

Paul J. Rhodes

Michael B. Johnson

Ally E. Hill

John H. LaMonte

Attested by:

David L. Kinder
David Kinder, Clerk-Treasurer

RESOLUTION R-2009-006

A RESOLUTION AUTHORIZING THE CLERK-TREASURER OF THE TOWN OF SELLERSBURG, INDIANA, TO DEPOSIT, INVEST AND REINVEST FUNDS IN LOCAL FINANCIAL INSTITUTIONS DESIGNATED AS DEPOSITORIES.

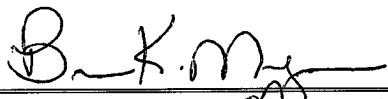
WHEREAS, The Indiana Depository Act, I. C. 5-13, among other things, authorizes fiscal officers of local governments to deposit, invest and reinvest any funds held by that government entity, and

WHEREAS, The Indiana Board for Depositories publishes or causes to be published from time to time listings of financial institutions designated as depositories for state deposits; and

WHEREAS, The Town Council of Sellersburg , as a fiscal body of the Town of Sellersburg, Indiana is desirous of depositing, investing, and reinvesting monies in financial institutions having a principal office or branch located in Sellersburg and Clarksville, Indiana and designated by the Indiana Board of Depositories as a depository for state deposits;

NOW THEREFORE BE IT ORDAINED, That the Clerk-Treasurer of the Town of Sellersburg is hereby authorized to deposit, invest and reinvest monies, as determined and identified by the Clerk-Treasurer, in the following designated financial institutions in Sellersburg and Clarksville, Indiana: J. P. Morgan Chase Bank, First Savings Bank, Community First Bank, Fifth Third Bank, New Washington State Bank, PNC Bank and any other financial institution identified eligible by the Indiana Board of Depositories.

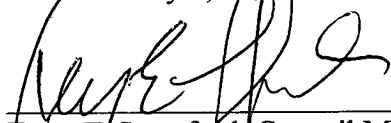
SO ORDAINED THIS 26th day of October 2009.



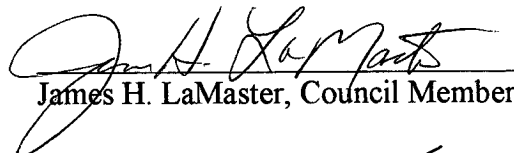
Brian K. Meyer, Council President



Paul J. Rhodes, Council Vice President



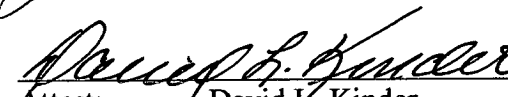
Terry E. Langford, Council Member



James H. LaMaster, Council Member



Michael N. Lockhart, Council Member



Attest: David E. Kinder
Clerk-Treasurer

RESOLUTION R-2009-007

A RESOLUTION ESTABLISHING A CELLULAR TELEPHONE ALLOWANCE

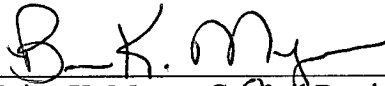
WHEREAS, the Town of Sellersburg, Indiana Town Council deems it necessary for certain Town employees to have cellular telephones for the purpose of improved communications between the Town and the Town employees; and

WHEREAS, the following positions, Clerk-Treasurer and First Deputy Clerk-Treasurer, require cellular telephone availability and will receive a monthly Cellular Telephone Allowance of thirty dollars (\$30.00) per month on the first pay check of each month. All required taxes for the Cellular Telephone Allowance will be deducted from the employee's paycheck and reported on their For W-2; and

WHEREAS, the Sellersburg Town Council has determined the herein legislation is necessary for the efficient and effective administration of Town government and is in the best interest of all Town residents; and

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

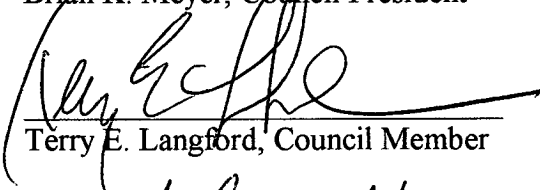
BE IT NOW THEREFORE ORDAINED by the Sellersburg Town Council that this Resolution shall be in full force and effective as of November 1, 2009.



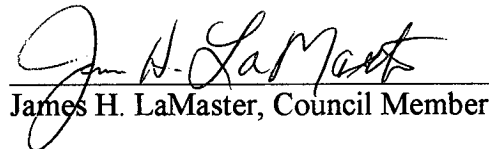
Brian K. Meyer, Council President



Paul J. Rhodes, Council Vice President



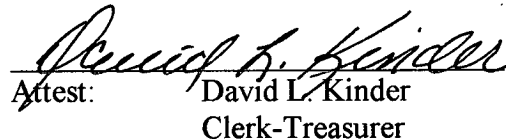
Terry E. Langford, Council Member



James H. LaMaster, Council Member



Michael N. Lockhart, Council Member



Attest: David L. Kinder
Clerk-Treasurer