

**Town of Whitestown, Indiana**

**RESOLUTION NO. 2015-\_\_**

**A FISCAL POLICY RESOLUTION  
FOR ANNEXING CONTIGUOUS TERRITORY  
TO THE TOWN OF WHITESTOWN, INDIANA**

**BHI Retirement Communities, Inc.  
Super-Voluntary Annexation**

WHEREAS, Ind. Code § 36-4-3-3.1 requires that the municipality has developed a written fiscal plan and has established a definite policy, by resolution of the legislative body that meets the requirements set forth in Ind. Code § 36-4-3-13(d), prior to annexing property under Ind. Code § 36-4-3; and

WHEREAS, it is the desire of the Town Council of the Town of Whitestown, State of Indiana, to provide such written fiscal plan, and comply with Indiana law.

THEREFORE, BE IT RESOLVED by the Town Council of the Town of Whitestown, State of Indiana, that Exhibit A, as attached and incorporated herein, is adopted as the fiscal plan for the “BHI Retirement Communities, Inc. Super-Voluntary Annexation” proposed by Ordinance 2014-38.

BE IT FURTHER RESOLVED THAT the sections, paragraphs, sentences, clauses and phrases of this Resolution and the fiscal plan are separable, and if any phrase, clause, sentence, paragraph or section of this Resolution or the fiscal plan shall be declared unconstitutional, invalid or unenforceable by the valid judgment or decree of a court of competent jurisdiction, such unconstitutionality, invalidity, or unenforceability shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Resolution or the fiscal plan.

PASSED the \_\_\_\_ day of \_\_\_\_\_ 2015.

THE TOWN COUNCIL OF THE TOWN  
OF WHITESTOWN, INDIANA

YAY/NAY

\_\_\_\_\_  
Eric Miller, President

\_\_\_\_\_  
Julie Whitman, Vice President

\_\_\_\_\_  
Dawn Semmler, Member

\_\_\_\_\_  
Susan Austin, Member

\_\_\_\_\_

\_\_\_\_\_  
Kevin Russell, Member

\_\_\_\_\_

**ATTEST:**

\_\_\_\_\_  
Amanda Andrews, Clerk-Treasurer  
Town of Whitestown, Indiana

*Whitestown, Indiana*

*Boone County*

## *Fiscal Plan:*

# Super-Voluntary BHI Annexation Area

*The Fiscal Plan may be reviewed in the offices of the Town Manager located in the Whitestown Municipal Complex. Copies of the Fiscal Plan are available immediately at this location for a copying fee of \$0.10 per page (black & white), OR interested parties may obtain a copy of the Fiscal Plan from the internet web page at [www.Whitestown.in.gov](http://www.Whitestown.in.gov).*

*For any questions regarding this annexation, the public should contact the Town Manager's office at 317/732-4530.*

**February 16, 2015**

***Policy Narrative Prepared by:***  
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## **Super-Voluntary Annexation**

This annexation is undertaken as an annexation with 100% of property owners consenting to, and petitioning for, annexation. If, during the statutory annexation process of IC 36-4-3-5.1, the terms and conditions of the annexation change, the Town reserves the right to amend this Fiscal Plan to accommodate the extant changes in terms and conditions.

## **General Description of the ‘BHI’ Annexation Area**

The BHI Annexation Area is shown on Map #1, above, and consists of approximately 16 acres generally located along CR475E in Boone County, and adjacent to other property which is a part of a PUD for BHI. The 16 acre parcel has petitioned for annexation for the purpose of bringing the entire PUD into the corporate limits of Whitestown.

## **Contiguity, Population Density, 60% Subdivided & Zoned PUD**

The BHI Annexation Area is more than 1/8<sup>th</sup> contiguous to Whitestown. The population density of the annexation area is less than 3.0 persons per acre. The Annexation Area is to be included in a PUD, which is 60% subdivided and urbanized, in accordance with statute. The PUD zoning comprises sufficient density and land use to classify it as ‘business’ zoning.

## **‘Best Interests’ Considerations**

The landowners have determined that it is in the best interests of the landowners to petition for annexation in accordance with IC 36-4-3-5.1

## **“Needed & Can Be Used”**

The BHI Annexation Area is ‘needed and can be used by the Town for its development’ at this time. The Town of Whitestown has performed preliminary examination of the BHI Annexation Area and has preliminarily determined that the area can be cost-effectively served by Whitestown services and utilities, and that appropriate planning has been undertaken by the property owner with regard to the PUD designation requested by the owner.

## **Plan to Provide Municipal Services**

The following municipal departments provide municipal services inside Town boundaries:

Administration/Town Council (non-capital services only)  
Clerk-Treasurer (non-capital services only)  
Police Department (non-capital services only)  
Fire Department (non-capital services only)  
Street Department (capital & non-capital services)  
Whitestown Utilities (capital & non-capital services)  
Redevelopment Commission (non capital services only)  
Parks Department (capital and non-capital services)  
Town Court (non-capital services only)

### ***Providing Non-Capital Municipal Services***

IC 36-4-3-13 states, “*planned services of a noncapital nature, including police protection, fire protection, street and road maintenance, and other noncapital services normally provided within the corporate boundaries, will be provided to the annexed territory 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 noncapital services provided to areas within the corporate boundaries regardless of similar topography, patterns of land use, and population density.*”

All non-capital services will be provided to the annexed territory within one year after the effective date of annexation, and will be provided in a manner equivalent in standard and scope to the non-capital municipal services provided to the areas within the corporate boundaries of the Town with the intent for complete conformity to all requirements of IC36-4-3-13. The projected effective date of the annexation is estimated to be between March 1, 2015 and April 1, 2015, with all non-capital services to be in place within one year after the effective date, as required by statute. It is anticipated that the property can be absorbed into the current noncapital service structure of the Town without additional costs to the Town. As the PUD develops, additional revenue from the development would support the cost of non-capital service additions, though it is not anticipated that this area will require incrementally any more noncapital service than the portion of the PUD already within the Town would require.

### ***Providing Capital Municipal Services***

IC36-4-3-13(d) states 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.*”

All capital services of the Town of Whitestown will be provided to the BHI Annexation Area within 3 years of the effective date of this annexation in the same manner as those services are provided to areas inside the corporate limits, and in a manner consistent with federal, state and local laws, procedures and planning criteria. The Town is ready, willing, and able to serve the property once the property owner is prepared to develop the PUD. It is anticipated that the developer will be responsible for the costs of extending or improving any capital infrastructure that is needed for the property’s development, as with those portions of the PUD already within the Town..

### ***CAPITAL DRAINAGE SERVICES***

It is important to note that the Town of Whitestown does not provide “drainage services” as a municipal service of the Town. Traditionally, the term “drainage services” has been interpreted to mean the installation of storm sewers, combined sewers, drainage tiles or drainage ditches,

which are paid through ad valorem assessments levied by the county drainage board. The Town generally does not consider itself to have the authority to levy such assessments. As such, the Boone County Drainage Board will retain such authority in the annexation area.

Whitestown's development policies handle drainage and stormwater retention issues as a "development standard" rather than a municipal service, by requiring the developer to install stormwater handling and retention facilities which retain stormwater runoff on the site of the development in order to minimize downstream flooding. (From time to time, the standards change, meaning that various stormwater retention facilities might be designed to address different standards, over time.) Generally, stormwater retention facilities are the responsibility of the developer, especially in cases where a PUD is anticipated.

**Town of Whitestown**

BHI Retirement Annexation: 5-Year Fiscal Summary

March 5, 2015

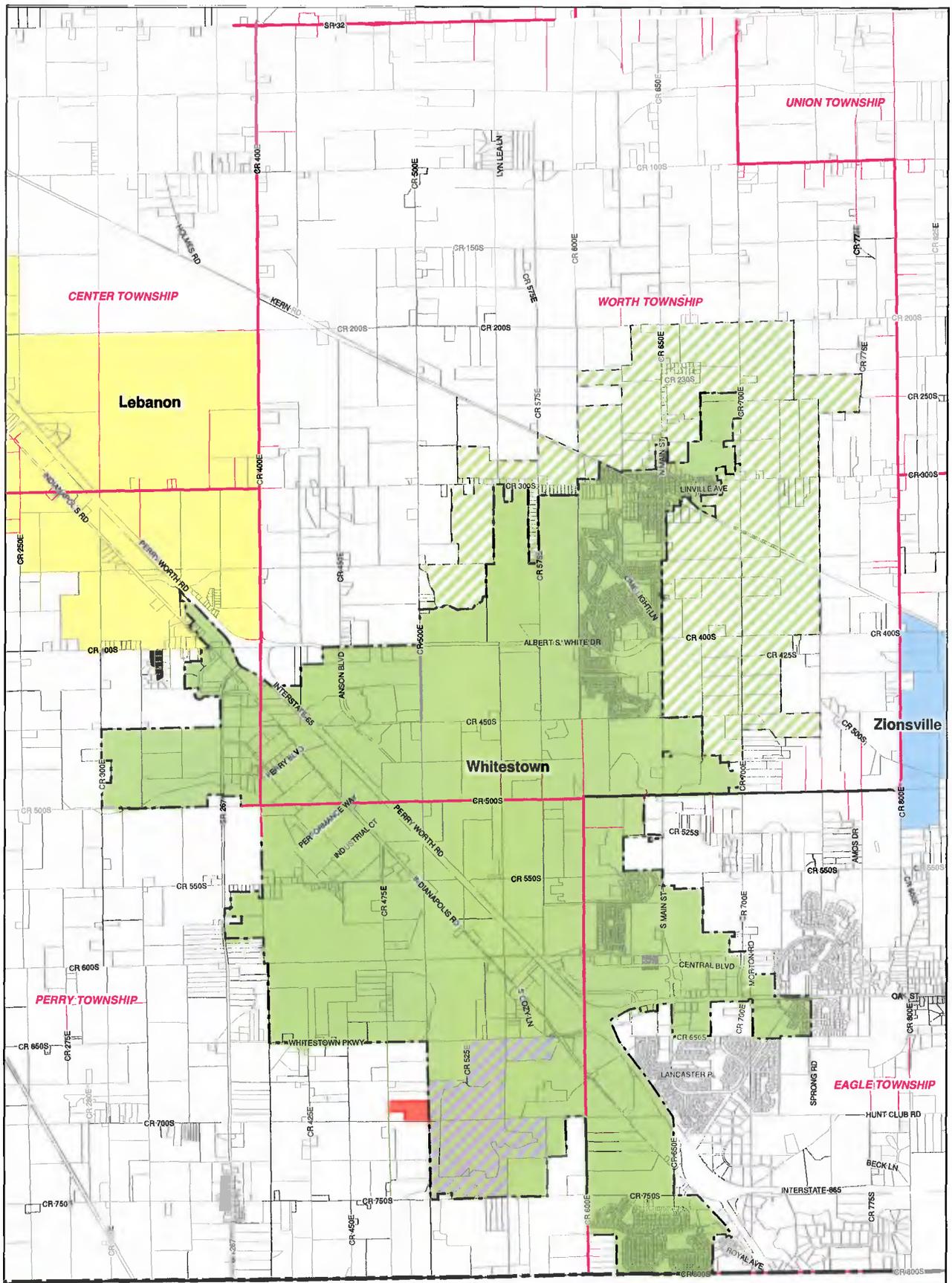
	Property Taxes	Income Taxes	Other Taxes	Total Revenues	Total Minimum Costs	Total Maximum Costs	Projected Revenues over Minimum Costs	Projected Revenues over Maximum Costs
Year 1	276	-	8	284	-	284	284	-
Year 2	284	266	9	558	-	558	558	-
Year 3	291	274	9	574	-	574	574	-
Year 4	299	283	9	591	-	591	591	-
Year 5	307	291	9	607	-	607	607	-

- (1) Projected property tax revenue is subject to approval by the DLGF, and is based on current and future projected net assessed valuations of the annexation area.
- (2) Income taxes and Other Taxes are distributed based on a ratio of property taxes.
- (3) Costs for the annexation are not anticipated to be incrementally more than the cost to serve the existing portion of the development already within Whitestown.

COIT Projection:

2015 certified shares	2,690,173
Divided by 2014 property tax levy	3,971,276
% of CS to Prop levy	68%
Times Annexation PT Adjustment	393
Equals Annexation CS	266

Other Taxes: 3% times property tax levy



- Legend**
- Existing Corporate Limit
  - Pending Annexation
  - Golf Club of Indiana PUD
  - BHI Retirement Community Parcel
  - Parcel Boundary
  - Township Boundary
  - County Boundary

# Annexation Map Whitestown, Indiana



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