

RESOLUTION NO. 2013 – 05

**A RESOLUTION ADOPTING THE FISCAL PLAN FOR THE ANNEXATION
OF THE PROPERTIES COMMONLY KNOWN AS THE FAIRGROUNDS,
SENIOR CENTER AND HIGHWAY GARAGE**

WHEREAS, the Town intends to annex the contiguous areas known as the Fairgrounds, Senior Center and Highway Garage to the Town of Nashville for the purpose of extending sewer and other Town services to said areas, and ;

WHEREAS, the Town Administration has prepared a Fiscal Plan for said annexations which are incorporated herein by reference;

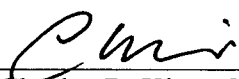
BE IT HEREBY RESOLVED that said Fiscal Plan for the annexation of the properties listed in the title hereof and incorporated fully by reference herein and attached hereto as exhibit A.

PASSED AND ADOPTED by the Nashville Town Council this 16th day of May, 2013



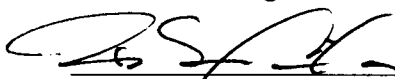
Robert Kirlin, Council President

☒ yea ☐ nay ☐ abstain



Charles B. King, Council Vice-President

☒ yea ☐ nay ☐ abstain



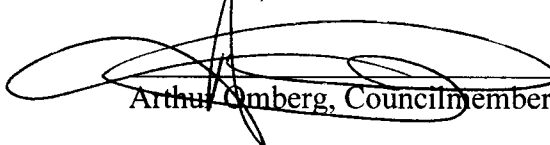
R. Sean Cassidy, Councilmember

☒ yea ☐ nay ☐ abstain



Jane Gore, Councilmember

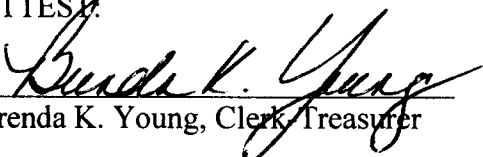
☒ yea ☐ nay ☐ abstain



Arthur Omberg, Councilmember

☒ yea ☐ nay ☐ abstain

ATTEST:



Brenda K. Young, Clerk/Treasurer

TOWN OF NASHVILLE

FAIRGROUNDS FISCAL PLAN

Date: 5/14/13

Drafted By: Roger Bush, Town Superintendent

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Introduction

The Nashville Town Council desires to annex the property commonly known as the "Brown County Fairgrounds." Under Indiana Code IC 36-4-3-3.1, annexations of this type require a written fiscal plan; therefore let this document serve as the required fiscal plan and to be known as the Fairgrounds Fiscal Plan.

The "Brown County Fairgrounds Properties" are most similar to the Big Foot Station, Brown County Tire, and NAPA properties (further known as the NAPA area.) Both the Fairgrounds properties and the NAPA area are developed and are currently being serviced by the Town of Nashville. As a result, this report will be brief but is necessary to comply with Indiana Code.

Both areas have zero (0) population, both areas are developed, both areas are similar in slope, the fairgrounds properties are mostly soil types Hc and BgF, the NAPA area is soil type St, the fairgrounds properties are in the flood fringe, the NAPA area is mostly in the floodway, and both areas currently receive most of Town services. (See attachments D thru F)

Fiscal Plan Requirements

IC 36-4-3-3.1

Written fiscal plan

Sec. 3.1. (a) This section does not apply to an annexation under section 4(a)(2), 4(a)(3), 4(b), 4(h), or 4.1 of this chapter.

(b) A municipality shall develop and adopt a written fiscal plan and establish a definite policy by resolution of the legislative body that meets the requirements set forth in section 13 of this chapter.

(c) Except as provided in subsection (d), the municipality shall establish and adopt the written fiscal plan before mailing the notification to landowners in the territory proposed to be annexed under section 2.2 of this chapter.

(d) In an annexation under section 5 or 5.1 of this chapter, the municipality shall establish and adopt the written fiscal plan before adopting the annexation ordinance.

As added by P.L.248-1999, SEC.3. Amended by P.L.217-1999, SEC.3; P.L.224-2001, SEC.3.

IC 36-4-3-13

Remonstrances; hearing; order; requirements

(d) The requirements of this subsection are met if the evidence establishes that the municipality has developed and adopted a written fiscal plan and has established a definite policy, by resolution of the legislative body as set forth in section 3.1 of this chapter. The fiscal plan must show the following:

(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 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.

- (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.

Cost of Planned Services

- I. Water service is currently provided to both the NAPA area and the Fairgrounds properties. As such, there are no further improvements required at this time, which means there are no Water Department costs associated with annexing the Fairgrounds properties.
- II. Wastewater service is currently provided to both the NAPA area and the Fairgrounds properties. As such, there are no further improvements required at this time, which means there are no Wastewater Department costs associated with annexing the Fairgrounds properties.
- III. Roadways currently exist in both the NAPA area and the Fairgrounds properties. As such, there are no further improvements required at this time, which means there are no Motor Vehicle Highway Department costs (except for road maintenance) associated with annexing the Fairgrounds properties. Road maintenance costs for that amount of roadway adjacent the annexed area will be approximately \$2,500.00 per year.
- IV. Fire protection service is currently provided to both the NAPA area and the Fairgrounds properties. As such, there are no further improvements required at this time, which means there are no Wastewater Department costs associated with annexing the Fairgrounds properties. (Both areas are serviced by the Nashville Fire Department and both areas have a fire hydrant in them.)
- V. Police service is currently provided to both the NAPA area and the Fairgrounds properties. There may be some additional services that may need to be rendered because of the nature of this property, but these costs are negligible when comparing other similar in Town properties of this size. As such, there are no further improvements required at this time, which means there is a negligible amount of cost to the Police Department associated with annexing the Fairgrounds properties.
- VI. While the Town of Nashville does not have a storm water utility it does maintain storm structures inside of its road right of way. Storm water runoff is currently sent to nearby ditches in both the NAPA area and the Fairgrounds properties. As such, there are no further improvements required at this time, which means there are no Water Department costs associated with annexing the Fairgrounds properties.

Methods of Financing Planned Services

- I. Water service is currently provided to both the NAPA area and the Fairgrounds properties. \$0.00 cost is expected; therefore no financial planning is needed.
- II. Wastewater service is currently provided to both the NAPA area and the Fairgrounds properties. \$0.00 cost is expected; therefore no financial planning is needed.
- III. Roadways currently exist in both the NAPA area and the Fairgrounds properties. Roadway maintenance in this area will be approximately \$2,500.00 per year. Without the availability of additional funding, a minor decrease in provided services throughout the Town will produce enough savings to pay for the additional costs associated with the addition annexed roadway.
- IV. Fire protection service is currently provided to both the NAPA area and the Fairgrounds properties. \$0.00 cost is expected; therefore no financial planning is needed.
- V. Police service is currently provided to both the NAPA area and the Fairgrounds properties. Without the availability of additional funding, a minor decrease in provided services throughout the Town will produce enough savings to pay for the additional costs associated with the addition annexed properties.
- VI. While the Town of Nashville does not have a storm water utility it does maintain storm structures inside of its road right of way. \$0.00 cost is expected; therefore no financial planning is needed and if there are any unforeseen costs then without the availability of additional funding, a minor decrease in provided services throughout the Town will produce enough savings to pay for the additional costs associated with the addition annexed roadway.

Plan of the Organization and Extension of Service

- I. Water service is currently provided to both the NAPA area and the Fairgrounds properties. There are currently no plans to increase service to these properties.
- II. Wastewater service is currently provided to both the NAPA area and the Fairgrounds properties. There are currently no plans to increase service to these properties.
- III. Roadways currently exist in both the NAPA area and the Fairgrounds properties. There are currently no plans to increase service to these properties.
- IV. Fire protection service is currently provided to both the NAPA area and the Fairgrounds properties. There are currently no plans to increase service to these properties.
- V. Police service is currently provided to both the NAPA area and the Fairgrounds properties. There are currently no plans to increase service to these properties.
- VI. While the Town of Nashville does not have a storm water utility it does maintain storm structures inside of its road right of way. There are currently no plans to increase service to these properties.

Planned Services of a Noncapital Nature

- I. Roadways currently exist in both the NAPA area and the Fairgrounds properties. There are currently no plans to increase service to these properties but the roadways along these properties will be maintained in a similar fashion as existing roadways.
- II. Fire protection service is currently provided to both the NAPA area and the Fairgrounds properties. There are currently no plans to increase service to these properties.
- III. Police service is currently provided to both the NAPA area and the Fairgrounds properties. There are currently no plans to increase service to these properties. Request for additional services will be handled in a similar fashion as throughout Town.

Planned Services of a Capital Nature

- I. Water service is currently provided to both the NAPA area and the Fairgrounds properties. There are currently no plans to increase service to these properties.
- II. Wastewater service is currently provided to both the NAPA area and the Fairgrounds properties. There are currently no plans to increase service to these properties.
- III. Roadways currently exist in both the NAPA area and the Fairgrounds properties. There are currently no plans to increase service to these properties.
- IV. While the Town of Nashville does not have a storm water utility it does maintain storm structures inside of its road right of way. There are currently no plans to increase service to these properties.

RESOLUTION NO. 2013 – 05

**A RESOLUTION ADOPTING THE FISCAL PLAN FOR THE ANNEXATION
OF THE PROPERTIES COMMONLY KNOWN AS THE FAIRGROUNDS,
SENIOR CENTER AND HIGHWAY GARAGE**

WHEREAS, the Town intends to annex the contiguous areas known as the Fairgrounds, Senior Center and Highway Garage to the Town of Nashville for the purpose of extending sewer and other Town services to said areas, and ;

WHEREAS, the Town Administration has prepared a Fiscal Plan for said annexations which are incorporated herein by reference;

BE IT HEREBY RESOLVED that said Fiscal Plan for the annexation of the properties listed in the title hereof and incorporated fully by reference herein and attached hereto as exhibit A.

PASSED AND ADOPTED by the Nashville Town Council this 16th day of May, 2013

<u>Robert Kirlin, Council President</u>	yea	nay	abstain
<u>Charles B. King, Council Vice-President</u>	yea	nay	abstain
<u>R. Sean Cassiday, Councilmember</u>	yea	nay	abstain
<u>Jane Gore, Councilmember</u>	yea	nay	abstain
<u>Arthur Omberg, Councilmember</u>	yea	nay	abstain

ATTEST:

Brenda K. Young, Clerk-Treasurer

ATTACHMENT A

TOWN OF NASHVILLE ORDINANCE 2013 -05

AN ORDINANCE CONCERNING THE ANNEXATION OF ADJACENT AND
CONTIGUOUS TERRITORY COMMONLY KNOWN AS
FAIRGROUNDS, SENIOR CENTER AND HIGHWAY GARAGE

WHEREAS: The properties located in the legal description attached hereto as Exhibit "A" are adjacent to and contiguous with the TOWN OF NASHVILLE, and are currently furnished with water and sewer utility service by the Town, and;

WHEREAS: The properties are owned by a public entity, BROWN COUNTY INDIANA, and the County has waived remonstrance against the annexation of said properties, and;

WHEREAS: The County will realize a substantial utility savings if said properties are annexed into the town. and;

WHEREAS: The town has adopted a fiscal plan for the annexation of said properties by RESOLUTION NUMBER 2013-05 ; and,

WHEREAS: The Town has published notice of a Public Hearing, notified the affected landowner by certified mail, and held a Public Hearing as required by law;

IT IS HEREBY ORDAINED AS FOLLOWS:

1. The properties described in Exhibit "A" be and the same are hereby annexed to and made a part of THE TOWN OF NASHVILLE, Indiana.
2. THE TOWN OF NASHVILLE will furnish the above described properties with governmental services of a non-capital nature in a manner which is equivalent in standard and scope to those non-capital services provided to areas within the Town which are similar in topography, land use and population density to the annexed area.
3. Governmental and proprietary services will be provided to the above described property in a manner consistent with the fiscal plan adopted by RESOLUTION NUMBER 2013-05
4. Said property shall be zoned in a Town Use District that is equivalent to the County Use District for the property's location prior to its annexation and consistent with its pre-existing non-conforming use or uses ,if any.
5. Said property shall be part of Town Council District Number 2 .

EFFECTIVE DATE. This ordinance shall take effect Thirty-One (31) days after first adoption and upon filing and recording as required by law.

PASSED AND ORDAINED THIS _____ DAY OF _____ 2013

_____ yea nay abstain
Council President Robert Kirlin

Approved as to form:

James T. Roberts
Attorney for the
Town of Nashville

_____ yea nay abstain
Council Vice-President Charles B. King

_____ yea nay abstain
Council Member R. Sean Cassiday

_____ yea nay abstain
Council Member Jane Gore

_____ yea nay abstain
Council Member Arthur Omberg

ATTEST:

Clerk-Treasurer, Brenda K. Young

**DESCRIPTION OF TOWN ANNEXATION OF THE BROWN COUNTY
HIGHWAY GARAGE, 4-H FAIRGROUNDS AND SENIOR CITIZENS CENTER**

PART OF THE EAST HALF OF THE NORTHWEST QUARTER AND PART OF THE WEST HALF
OF THE NORTHEAST QUARTER OF SECTION 19, TOWNSHIP 9 NORTH, RANGE 3 EAST OF THE
SECOND PRINCIPAL MERIDIAN, WASHINGTON TOWNSHIP, BROWN COUNTY, INDIANA
DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE WEST HALF OF THE NORTHEAST
QUARTER OF SAID SECTION 19; THENCE SOUTH 1089.70 FEET; THENCE EAST 293.60 FEET
TO THE BEGINNING; THENCE SOUTH 07 DEGREES 51 MINUTES WEST 964.40 FEET TO THE
CENTER OF OLD STATE ROAD NUMBER 46; THENCE NORTHWESTERLY WITH THE CENTER
OF SAID STATE ROAD 789.40 FEET TO THE INTERSECTION OF SAID STATE ROAD AND
GREASY CREEK COUNTY ROAD; THENCE LEAVING THE CENTER OF SAID STATE ROAD
NORTHEASTERLY WITH THE CENTER OF SAID GREASY CREEK COUNTY ROAD 1223.80
FEET; THENCE LEAVING THE CENTER OF SAID GREASY CREEK COUNTY ROAD SOUTH 69
DEGREES 02 MINUTES EAST 82.00 FEET TO THE CENTER OF GREASY CREEK; THENCE
SOUTHEASTERLY WITH THE CENTER OF SAID CREEK 502.50 FEET; THENCE LEAVING THE
CENTER OF SAID CREEK SOUTH 65 DEGREES 45 MINUTES EAST 260.00 FEET TO THE
BEGINNING, CONTAINING 16.49 ACRES MORE OR LESS.
SUBJECT TO OLD STATE ROAD NUMBER 46.

ALSO, SUBJECT TO GREASY CREEK COUNTY ROAD.

ALSO, SUBJECT TO ALL OTHER LEGAL RIGHTS OF WAY AND EASEMENTS EXISTING OR
OF RECORD AFFECTING SAID REAL ESTATE.

MEMORANDUM OF INSTRUCTIONS RE: FAIRGROUNDS ANNEXATION

May 16 Meeting--Introduce Ordinance. "First reading"

May 16 Meeting-- Pass resolution adopting Fiscal Plan

May 16 Meeting-- Set date for public hearing. Must be at least sixty (60) days after notice by certified mail and published notice.

May-June--publish notice of hearing in BC Democrat one (1) time. Must be at least sixty (60) days prior to hearing.

May-June --Send notice by certified mail to County. (Commissioners c/o County Auditor) copy to county attorney. Notice should include the Legal description, the date and time of the hearing, a map showing the current and proposed boundaries, the zoning classifications, a detailed summary of the fiscal plan, the location where the fiscal plan may be viewed,, a statement that the town will furnish a copy of the fiscal plan upon request, the name and telephone number of the person to contact for further information.

30-60 days after hearing. Pass ordinance. Publish one (1) time BC Democrat. File with Auditor, Clerk of Circuit Court, record with county Recorder, file with Secretary of State and Office of census data.

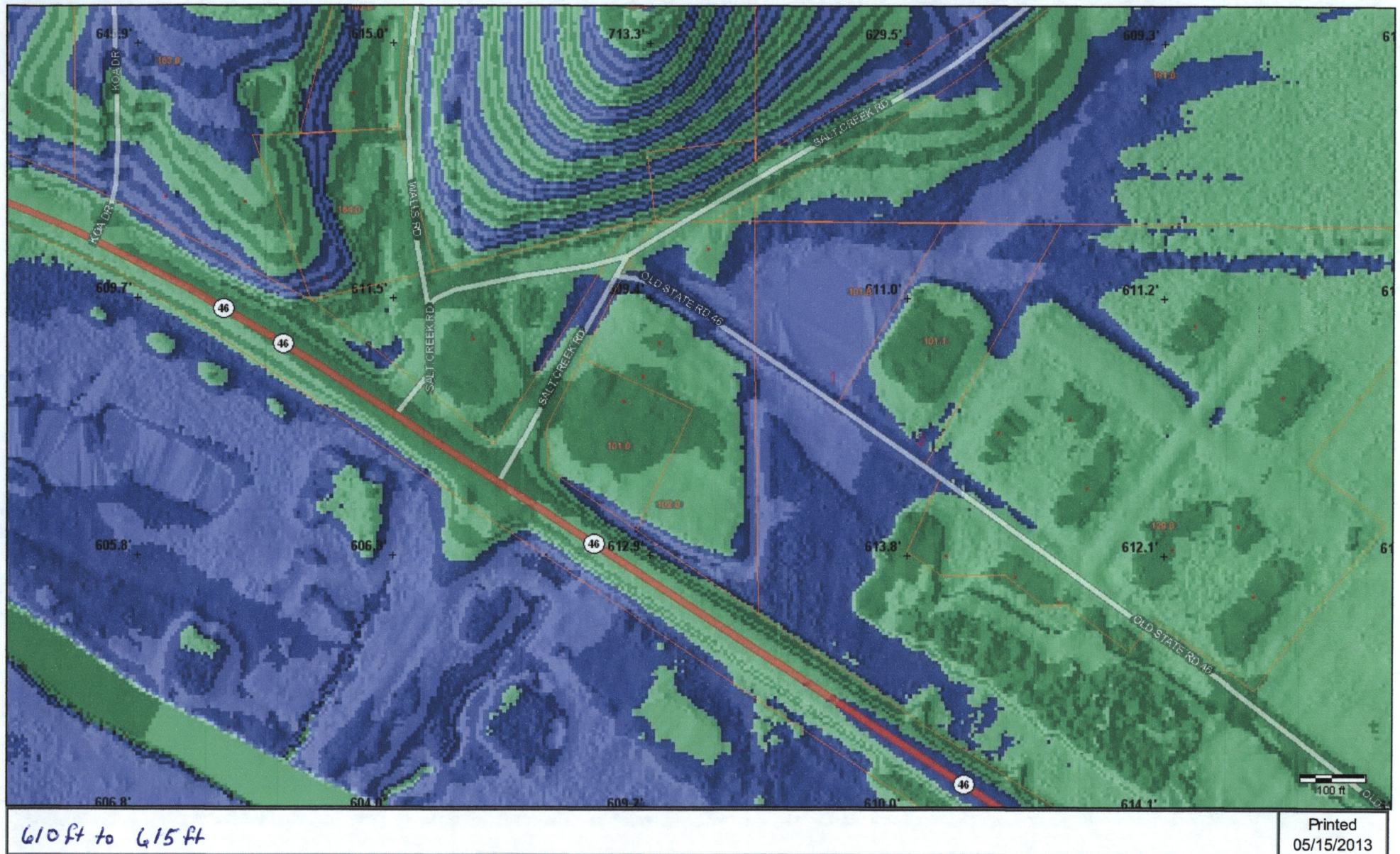


Annexation Area

Printed
05/15/2013

ATTACHMENT C



**ATTACHMENT D**



flood fringe

Printed
05/15/2013

ATTACHMENT E



Mostly flood plain.

Printed
05/15/2013

ATTACHMENT E



Mostly Hc Some BgF

Printed
05/15/2013

ATTACHMENT F



St

Printed
05/15/2013

ATTACHMENT F