

RESOLUTION 2014 - RCC-3

**A RESOLUTION BY THE DEKALB COUNTY COUNCIL TO
FILE FOR AN EXCESS LEVY APPEAL**

WHEREAS, DeKalb County has implemented a Countywide Centralized Emergency Communication System, which includes extension of those services to the residents of the City of Auburn, Indiana, and the City of Garrett, Indiana,

WHEREAS, the extension of services by DeKalb County, Indiana, to the additional geographic areas and persons of Auburn, Indiana, and Garrett, Indiana, is an extension of services described in Indiana Code §6-1.1-18.5-13(a)(1),

WHEREAS, the Cities of Auburn and Garrett have ceased to provide such emergency communication services to the geographic areas and persons of the City of Auburn, Indiana, and the City of Garrett, Indiana,

WHEREAS, DeKalb County costs have increased resulting from the extension of these emergency communication services to the additional geographic areas and persons of the City of Auburn, Indiana, and the City of Garrett, Indiana.

WHEREAS, DeKalb County has determined that it cannot carry out its governmental functions for an ensuing calendar year under the levy limitations imposed by Indiana Code §6-1.1-18.5-3,

WHEREAS, DeKalb County will appeal to the Department of Local Government Of Finance (DLGF) under Indiana Code §6-1.1-18.5-12 for relief from its levy limitations,

WHEREAS, DeKalb County will seek relief under Indiana Code §6-1.1-18.5-13(a)(1) due to the increased cost of extending emergency communication services for the geographic areas and persons of the Cities of Auburn, Indiana, and Garrett, Indiana,

WHEREAS, DeKalb County has determined that it will be unable to carry out its governmental functions committed to it by law unless it is given the authority that it has petitioned for under Indiana Code §6-1.1-18.5-13(a)(1),

WHEREAS, DeKalb County and the Cities of Auburn, Indiana, and Garrett, Indiana, desire that the Cities' maximum property

tax levies be reduced to eliminate any double taxation issues related to centralized emergency communication,

WHEREAS, the Cities of Auburn, Indiana, and Garrett, Indiana, desire that DeKalb County's maximum property tax levy be increased through excess levy appeal by the amount of the City maximum property tax levy reduction in order for DeKalb County to adequately provide communication services to the residents of the City of Auburn, Indiana, and the City of Garrett, Indiana,

WHEREAS, DeKalb County and the Cities of Auburn, Indiana, and Garrett, Indiana, met and agreed that the appropriate transfer of maximum property tax levy from the Cities to the County be based on previous dispatcher costs less current costs to maintain a local non-emergency answering point 56 hours per week with dispatcher costs derived from the "DeKalb County, Indiana Feasibility Study For Central Communications July 21, 2006" by Thayer Consulting Of California ("Thayer Report"),

WHEREAS, that the agreed upon maximum property tax levy transfer amount from the City of Auburn, Indiana, to DeKalb County is \$181,682.00 and the agreed upon maximum property tax levy transfer amount from the City of Garrett, Indiana, to DeKalb County is \$124,233.00, and therefore the DeKalb County maximum property tax levy should be increased by \$305,915.00 in order for DeKalb County to continue to extend emergency communication services to the Cities of Auburn, Indiana, and Garrett, Indiana,

WHEREAS, DeKalb County Council has adopted a Petition To Appeal for an increase to the maximum levy, a copy of which is attached hereto and marked "Exhibit A",

IT IS HEREBY RESOLVED by the County Council of DeKalb County, Indiana, to proceed with the Petition For An Excess Levy to the Department Of Local Government Finance to increase the taxing unit's maximum levy.

ADOPTED this 8th day of September, 2014.

9/8/2014

ADOPTED THIS 8th day of September, 2014

NAY

AYE

	<i>Al Medina</i>
	<i>Robert Wilkins</i>
	<i>Janet Ordway</i>
	<i>Harry Mauldin</i>
	<i>William O'Van Wyl</i>
	<i>Edmond King</i>
	<i>Richard R</i>

ATTEST:

John W. Fellers
John W. Fellers, County Auditor

PETITION TO APPEAL FOR AN INCREASE TO THE MAXIMUM LEVY

The County Council of the DeKalb
 (Fiscal/Governing Body) (Taxing Unit)

County, State of Indiana, has determined to file for an excess levy appeal.

(Please check the appropriate excess levy appeal(s) and provide the dollar amount(s) requested.)

- Annexation (IC 6-1.1-18.5-13(a)(1)) \$ _____
- Three Year Growth (IC 6-1.1-18.5-13(a)(3)) \$ _____
- Emergency Levy Appeal (IC-1.1-18.5-13(a)(13)) \$ 305,915.00
- Property Tax Shortfall (IC 6-1.1-18.5-16) \$ _____
- Correction of Error (IC 6-1.1-18.5-14) \$ _____
- Township Borrowing for Fire & Emergency Services (IC 6-1.1-18.5-13(c)) \$ _____

The fiscal/governing body of _____, DeKalb County, hereby resolves to proceed with a petition for an excess levy to the Department of Local Government Finance to increase the taxing unit's maximum levy.

ADOPTED THIS 8th day of September, 2014

NAY

AYE

	<i>Alfred Medcison</i>
	<i>Robert Welder</i>
	<i>Conet Ordway</i>
	<i>Larry Moughler</i>
	<i>William O'Valley</i>
	<i>Edgar King</i>
	<i>Richa [Signature]</i>

ATTEST: John W. Fellers
 John W. Fellers, County Auditor