

RESOLUTION NO. 2008-19
OF THE TOWN OF BARGERSVILLE, INDIANA

**A RESOLUTION OF THE BARGERSVILLE TOWN COUNCIL
TO PARTICIPATE IN THE PROPOSED REORGANIZATION
OR COOPERATIVE AGREEMENT WITH WHITE RIVER TOWNSHIP PURSUANT
TO I.C. 36-1.5**

WHEREAS, the Town of Bargersville (“Bargersville”) and White River Township (“WRT”) share many common interests within their communities, and

WHEREAS, Bargersville and its citizens have invested heavily in utility infrastructure to serve the unincorporated areas of WRT, and

WHEREAS, Bargersville and WRT believe that the governmental services each provides to their citizens can be consolidated and/or coordinated to provide more effective and efficient government to those citizens, and

WHEREAS, Indiana Code 36-1.5-1 *et seq.* allows a township and a municipality that is located in any part of the same township to reorganize by merger or cooperative agreements to coordinate and share responsibility for providing services in a more efficient and effective manner, with the express approval of the citizens of those political subdivisions, and

WHEREAS, the Board of WRT is considering the adoption of a resolution substantially similar to this Resolution, and

WHEREAS, it is determined that it is beneficial to the citizens of Bargersville to reorganize with WRT to more effectively and efficiently provide services;

NOW, THEREFORE, BE IT RESOLVED, by the Town Council of Bargersville, that

1. Pursuant to the authority granted under IC 36-1.5, Bargersville and WRT (both of which are located in Johnson County) (collectively the “Participating Political Subdivisions”) shall reorganize and/or enter into a Cooperative Agreement with respect to Bargersville and at least that portion of unincorporated WRT generally described as being south of Stones Crossing Road, as such area is adjusted by mutual agreement of the Participating Political Subdivisions.
2. The reorganization and/or Cooperative Agreement shall be designed to coordinate and potentially share the services and functions of Bargersville and WRT.
3. Within thirty (30) days after the certification of this Resolution or a resolution substantially similar to this Resolution by the clerk of the last Participating Political Subdivision to adopt this Resolution or a substantially similar resolution, a Reorganization Committee shall be established pursuant to IC 36-1.5-4-16(a)(2), which Committee shall be granted all powers and authority permitted under IC 36-1.5.
4. The Reorganization Committee shall consist of a total of six (6) members, three (3) to be appointed by the executive from each of the Participating Political Subdivisions, and not more than two (2) members appointed by a Participating Political Subdivision shall be of the same political party.

5. The Reorganization Committee shall specifically be responsible for gathering information, conducting such public hearings as it deems appropriate, and preparing a Reorganization Plan to submit to the Participating Political Subdivisions as promptly as possible, but no later than one (1) year after the passage and certification of this Resolution or substantially identical resolutions by all of the Participating Political Subdivisions, as provided by IC 36-1.5-4-18.
6. In accordance with IC 36-1.5-4-18(b), and in addition to the items required therein, the Reorganization Plan shall include the following:
 - a. Provisions taking into account Bargersville's intention, to the extent practical, to respect the preferences concerning remaining unincorporated or not of the current residents of the developed portion of the unincorporated areas of WRT not presently included within a Bargersville annexation, with the understanding that the taxpayers of Bargersville shall not be required to subsidize or otherwise bear the cost of Bargersville providing municipal services to unincorporated areas of WRT;
 - b. Provisions stating that Bargersville's Town Council will consider extending municipal services to new development in the unincorporated areas of WRT seeking municipal utility services, with the understanding that the Reorganization Plan will specify an appropriate method for fully compensating Bargersville for the extension of any municipal services.
 - c. Provisions affirming that Bargersville's Town Council will provide planning, zoning and development regulation in the entire area south of Stones Crossing Road, by virtue of the Bargersville Plan Commission and that representatives of WRT will be appointed to the Bargersville Plan Commission on terms and conditions mutually agreeable to the Participating Political Subdivisions.
 - d. Provisions affirming that Bargersville Utilities will continue to be operated and managed exclusively by Bargersville under the current laws and regulations of the State of Indiana as of December 1, 2008 and recognizing Bargersville's withdrawal of the water utility from the regulatory authority of the Indiana utility Regulatory Commission, as approved by the citizens of Bargersville in the November, 2008 referendum.
7. Pursuant to IC 36-1.5-4-10(b), the Clerk-Treasurer of Bargersville is hereby authorized and directed to certify, effective this date, and deliver this Resolution to the Board of WRT.

GREENWOOD COMMON COUNCIL

RESOLUTION NO. 08-27

A RESOLUTION OF THE GREENWOOD COMMON COUNCIL AUTHORIZING THE
CITY OF GREENWOOD TO PARTICIPATE IN THE PROPOSED
REORGANIZATION WITH WHITE RIVER TOWNSHIP PURSUANT TO I.C. 36-1.5

WHEREAS, the City of Greenwood ("Greenwood") adjoins the unincorporated area of White River Township; and

WHEREAS, Greenwood and White River Township share many common interests and services within their communities; and

WHEREAS, Greenwood and White River Township believe that the governmental services each provides to their citizens can be consolidated and/or coordinated to provide more effective and efficient government to those citizens; and

WHEREAS, Indiana Code 36-1.5-1 *et seq.* allows adjoining political subdivisions, including cities and townships, to reorganize by merger or cooperative agreements to coordinate and share responsibility for providing services in a more efficient and effective manner, with the express approval of the citizens of those local units; and

WHEREAS, it is determined that it is beneficial to the citizens of Greenwood to reorganize with White River Township to more effectively and efficiently provide services,

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF GREENWOOD, AS FOLLOWS:

Section 1. Pursuant to the authority granted by I.C. 36-1.5 *et seq.*, the City of Greenwood and White River Township (all in Johnson County, hereinafter "Participating Political Subdivisions") shall reorganize and/or enter into a Cooperative Agreement.

Section 2. The reorganization or Cooperative Agreement shall be designed to coordinate and share the services and functions of the City of Greenwood and White River Township.

Section 3. Within thirty (30) days after the passage of this Resolution by both Participating Political Subdivisions and the certification of this Resolution to one another, a Reorganization Committee (hereinafter "Committee") shall be established pursuant to I.C. 36-1.5-4-16(a)(1), which Committee shall be granted all powers and authority permitted under I.C. 36-1.5. The Committee shall specifically be responsible for gathering information, conducting such public hearings as it deems appropriate, and preparing a Comprehensive Plan to submit to the Participating Political Subdivisions as promptly as possible, but not later than one (1) year after the passage and certification of this Resolution by both Participating Political Subdivisions, as provided by I.C. 36-1.5-18. The Committee shall consist of a total of seven (7) members, four (4) from the City of Greenwood, three (3) of those members shall be appointed by the Common Council and one (1) of those members shall be appointed by the Mayor, and three (3) members shall be appointed by the White River Township Board; and not more than a simple majority may be of the same political party.

Section 4. Pursuant to I.C. 36-1.5-4-13(c), the Clerk-Treasurer of the City of Greenwood is hereby authorized and directed to certify, effective the date of passage of this Resolution, and deliver this Resolution to the White River Township Board, Johnson County, Indiana.

Section 5. The sections, paragraphs, sentences, clauses, phrases and words of this Resolution are separable, and if any word, phrase, clause, sentence, paragraph or section of this Resolution 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 words, phrases, clauses, sentences, paragraphs and sections of this Resolution.

Section 6. This Resolution shall be in full force and effect from and after its passage and approval by the Mayor of the City of Greenwood.

PASSED AND ADOPTED by the Common Council of the City of Greenwood, Indiana, this ____ day of _____, 2008.

Ronald Deer, President
Greenwood Common Council

FOR:

AGAINST:

ATTEST:

Jeannine Myers, Clerk-Treasurer

The foregoing within and attached Resolution adopted by the Common Council of the City of Greenwood, Indiana, on the ____ day of _____, 2008, is presented by me this ____ day of _____, 2008, at ____ o'clock __.m. to the Mayor of the City of Greenwood, Indiana.

Jeannine Myers, Clerk-Treasurer

The foregoing within and attached Resolution adopted by the Common Council of the City of Greenwood, Indiana, on the ____ day of _____, 2008, is approved by me this ____ day of _____, 2008, at ____ o'clock __.m.

CHARLES E. HENDERSON, Mayor
City of Greenwood, Indiana