

**RESOLUTION NO. 2018 – 03**

**A RESOLUTION OF THE GOVERNING BOARD OF PENN TOWNSHIP, ST. JOSEPH COUNTY, INDIANA ESTABLISHING PENN FIRE PROTECTION TERRITORY EQUIPMENT REPLACEMENT FUND**

WHEREAS, pursuant to Ind. Code 36-8-19, et seq., the Indiana General Assembly has authorized units of local government within the State of Indiana to establish fire protection territories;

WHEREAS, , the Town of Osceola, Indiana (“Town”) and Penn Township, St. Joseph County, Indiana (“Township”), as contiguous units, have entered into an Interlocal Cooperation Agreement for the establishment of the Penn Fire Protection Territory, a true and accurate copy of which is attached hereto as Exhibit A and is incorporated herein and made a part hereof;

WHEREAS, the Interlocal Cooperation Agreement between the Town and Township provides for a uniform tax rate upon all taxable property within the boundaries of the Penn Fire Protection Territory for fire protection services;

WHEREAS, the Governing Board of the Township convened public hearings on January 15, 2018, February 5, 2018, and March 21, 2018, to discuss the establishment of the Penn Fire Protection Territory, including the establishing of a Fire Protection Territory Equipment Replacement Fund;

WHEREAS, the date, time, and location of the aforementioned public hearings and all other notice requirements under Ind. Code 36-8-19-8.5 were duly and adequately noticed and advertised pursuant to Indiana law;

WHEREAS, the Governing Board of Penn Township, St. Joseph County, Indiana has determined that a need now exists for the establishment of a Fire Territory Equipment Replacement Fund for the following purposes; For all purposes as set out in Ind. Code 36-8-19-8.5, and any other purposes allowed by Indiana Law.

NOW, THEREFORE, BE IT RESOLVED by the Governing Board of Penn Township, St. Joseph County, Indiana, as follows:

SECTION 1. The Governing Board of Penn Township, St. Joseph County, Indiana has determined that a need now exists for the establishment of a Fire Protection Territory Equipment Replacement Fund for the following purposes: For all purposes as set out in IC 36-8-19-8.5.

SECTION 2. Pursuant to the provisions of Indiana Code IC 36-8-19-8.5, the proposed fund will not exceed .0333 on each \$100 of assessed valuation. Said tax rate will be levied beginning with taxes for 2018 payable 2019 and will be a uniform tax rate.

SECTION 3. Proofs of publication of the public hearings held on January 15, February 5 and March 21, 2018 and a certified copy of this resolution shall be submitted to the Department of Local Government Finance of the State of Indiana as provided by law. This Fund is subject to the approval of the Department of Local Government Finance.

SECTION 4. Penn Township is the Provider Unit of the Penn Fire Protection Territory and the Town of Osceola is the Participating Unit of said Fire Protection Territory. Penn Township as Provider Unit is authorized to establish this Fund.

SECTION 5. This resolution contains or incorporates by reference the contents of the Interlocal Agreement to establish the Fund.

The above Resolution of the Governing Board of Penn Township, St. Joseph County, Indiana, was approved, passed, and signed by the following Board members at a properly noticed and duly held public meeting,

Signed and dated this 21<sup>st</sup> day of March, 2018.

  
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Kent Hizer, President Penn Township Board

  
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Matt Lentsch, Secretary Penn Township Board

  
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David Schmidt, Member Penn Township Board

ATTEST:   
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Doris J. Portolese, Trustee Penn Township