

RESOLUTION NO. 2024-01SWM

**A RESOLUTION OF THE STORM WATER MANAGEMENT BOARD
APPROVING NEW STORM WATER USER FEES TO BE ASSESSED AND
COLLECTED FROM ALL PROPERTY WITHIN THE STORM WATER
DISTRICT OF THE TOWN OF WHITELAND, INDIANA, FOR THE
FINANCING, OPERATION, AND MAINTENANCE OF A STORM WATER
COLLECTION AND DISPOSAL SYSTEM WITHIN THE DISTRICT, AND
RECOMMENDING THE ESTABLISHMENT OF THE NEW USER FEES
TO THE TOWN COUNCIL OF THE TOWN OF WHITELAND**

WHEREAS the Town of Whiteland, Indiana (the “Town”), has established a Department of Storm Water Management pursuant to Ordinance No. 09-01 adopted by the Town Council of the Town (the “Town Council”) on July 13, 2009 (the “Ordinance”), and the provisions of Ind. Code § 8-1.5-5 et seq., as amended (the “Act”); and

WHEREAS, pursuant to the Act, the Ordinance also created a special storm water taxing district (the “District”) that includes all the territory within the corporate boundaries of the Town; and

WHEREAS, the Act provides that the Board of Directors of the District (the “Board”), after holding a public hearing with notice given under Ind. Code 5-3-1 *et seq.* and obtaining the approval of the fiscal body of the Town may assess and collect user fees from all of the property of the District for the operation and maintenance of the storm water collection and disposal system (the “Storm Water System”); and

WHEREAS, Reedy Financial Group P.C., as financial advisor to the Board, has presented its report on the current financial status of the District, which contains certain financial information relating to the proposed investigation, acquisition, construction and operation of the Storm Water System (the “Financial Information”) to the Board; and

WHEREAS, the Board has caused notice of a public hearing regarding the assessment and collection of user fees to be published in accordance with Ind. Code 5-3-1, and held a public hearing on October 9, 2024, at the regularly scheduled open meeting of the Board (the “Public Hearing”), and afforded the public an opportunity to speak on the proposed rate increase.

WHEREAS, the Board has considered the Financial Information and comments from the Public Hearing in establishing the user fees recommended to the Council and set forth herein; and

WHEREAS, the Board now finds that user fees should be assessed and collected in accordance with the Act to enable the District to pay all expenses incidental to the operation and maintenance of the Storm Water System, provide adequate money to be used as working capital and provide adequate money for improving or replacing the Storm Water System from time to time.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE DEPARTMENT OF STORM WATER MANAGEMENT OF THE TOWN OF WHITELAND, INDIANA THAT:

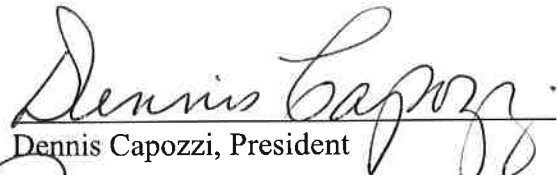
Section 1: User Fees. The storm water user fees provided on Exhibit A (“New Storm Water User Fees”) are hereby approved and shall be assessed against and collected from all property within the District containing impervious property beginning with the billing cycle first occurring on or after January 1, 2025, in place of the current storm water user fees of the District, provided the Whiteland Town Council finally approves the New User Fees by ordinance and in compliance with the Act.

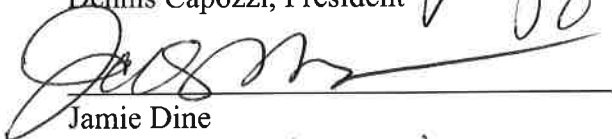
Section 2: Town Council Approval. The President of the Board is hereby authorized and directed to forward this Resolution to the Town Council of the Town with the Board’s recommendation that the Town Council approve the New Storm Water User Fees.

Section 3: Effective Date. This Resolution shall be in full force and effect from and after its passage.

Adopted this 9th day of OCTOBER, 2024, by a vote of 3 in favor, 0 opposed.

BOARD OF DIRECTORS OF THE DEPARTMENT OF STORM WATER MANAGEMENT OF THE TOWN OF WHITELAND, INDIANA:


Dennis Capozzi, President


Jamie Dine


Michael Hendrickson

EXHIBIT A

- (A) Each owner, or user under a written agreement with the town, of a property within the town shall be charged a monthly storm water user fee according to the following schedule, and such fee shall be applicable irrespective of whether the property is vacant or disconnected from the waterworks system of the town.

<u>Effective Date</u>	<u>Monthly Rate Per ERU</u>
January 1, 2025	\$7.87
January 1, 2026	\$8.24
January 1, 2027	\$8.61

- (B) An Equivalent Runoff Unit (“ERU”) is equal to 3,704 square feet of impervious surface.
- (C) All single-family residential properties are deemed equal to one ERU.
- (D) Properties, other than single-family residential, will have their impervious surface calculated in terms of an ERU by the Town Utility Department. The owner or user of such property will be billed according to the property’s specific number of ERU’s multiplied by the then applicable monthly ERU rate.

[Example using January 1, 2025 Rate: $14,816 \text{ sq. ft} / 3,704 = 4 \text{ ERU's} * \$7.87 = \$31.47$]