

Eagle Township Board
Wednesday, October 18, 2006 6:30 p.m.
Old National Bank
385 South Main Street
Zionsville, Indiana 46077

Members in Attendance:	Rob Schein, President	___x___
	Ralph Stacy, Secretary	___x___
	Jeff Papa, Bd. Member	___x___
	Judith Essex, Trustee	___x___

Guests: Eagle's Nest Neighborhood Association

Minutes

Call to Order President Rob Schein called the meeting to order. In order to accommodate guests, the Agenda was taken out of order.

Annexation Eagle Township Trustee Judith Essex welcomed the residents of Eagles Nest. This is one of the neighborhoods in the proposed annexation area by Whitestown. The Township is in the process of seeking advice from legal counsel Kroger Gardis and Regas and financial advisor Paige Gregory of Umbaugh on how the proposed annexation will affect the township and the township tax base.

Board President Rob Schein spoke to the group about the annexation process. The town of Whitestown first introduced and passed a town ordinance to start the annexation process. The next step will be a public hearing which will be November 27. At the public hearing landowners of the proposed annexation area may attend and be heard.

Some questions from the residents:

Diane Balough: Can this only be stopped if you file a remonstrance?

Rob Schein: Good Question. Municipalities can withdraw their proposed annexation. They could work with landowners to reach an amicable resolution. Direction will be taken from the Supreme Court decision.

Eagle Nest Resident: Can the Waiver be revoked? The developer Platinum and Ryland had signed waivers to not remonstrate against annexation in order to get utilities for the development.

Rob Schein: It is in the best interest of the landowners to seek legal council.

Eagle Nest Resident: How is Eagles Nest contiguous to Whitestown?

Rob Schein: The definition of contiguous is being debated. Chief Justice Sullivan has also asked the court to define contiguous. It typically means that the properties boundaries connect to one another.

Eagle Nest Resident: Is it an individual tax parcel or is it tax parcels that are connected?

Rob Schein: Typically it means tax parcels cannot "leap frog" and the borders must be contiguous.

Eagle Nest Resident: The Town Clerk of Whitestown said there was a formula used to decide how much land could be included in the annexation. What is the formula?

Rob Schein: The most important thing for Eagle Nest residents to do is to attain legal representation.

The Trustee reported to the group that the township has been offered land from Duke Development to build a fire station. However, the land is in the proposed annexed area. The Township legal counsel has been working with Duke on that proposal and will now need to determine how to proceed.

The question was asked how could the town of Zionsville annex Eagles Nest? All guests would be supportive of Zionsville annexing their neighborhood. Rob suggested they talk to the Zionsville Town Council. Currently their plan does not include anything west of 875 West. Also they should talk to the school board and how the school corporation will be impacted? The residential that is in Eagle township barely support the schools now.

The comment was made that Whitestown claims the annexation was due to an opportunity to recoup funding put into sewer system. If that is the case then why wasn't Stonegate and Royal Run included in the annexation because they are also on the sewer and water provided by Whitestown. Eagles Nest is serviced by Indianapolis water.

Rob suggests the Eagles Nest residents address the Whitestown town council and that they familiarize themselves with open door policies.

The Board agrees the following questions need to be addressed:

What impact if any will the proposed annexation have on the fire territory?

What impact if any will it have the on the COIT?

If there is not an impact on either of those two issues what will the impact be?

Minutes September minutes read and will be approved when amended. Gene Thompson's figures from previous month need to be added.

Financial Report The August and September financial report was also distributed. The receipts for August were \$18,290.82 and the disbursements were \$43,759.06. The receipts for September were \$18,050.39 and the disbursements were \$1,024.33. There followed a discussion on the last tax distribution that gave the township its first payment from the County Park levy. The amount received was \$6,482.18 and it was agreed among the board that since the town had budgeted this amount for 2006 that we would pass that money through to the Town of Zionsville. A Motion was made for the Trustee to write a check for \$6482.18 to the Town of Zionsville.

Fire Department Trustee distributed the monthly fire report and a copy of the invoice from the Town of Zionsville for the Jan- June 2006 Staff, Utilities and Supplies for the Fire Department.

The Board needs to finalize what is going to be done with the Cumulative Fire Fund balance. The decision on how this money is to be used needs to be set forth in the fire territory contract. The Trustee suggested that Eagle Township pay off their share of the fire station debt. If this is done after 1/15/07 there will not be a penalty for early payment. The next meeting for the Fire Territory Executive Board will be November 8th at the Fire Station at 4:30pm

At 8:05 p.m. there being no further business, the meeting was adjourned. The next meeting will be November 8, 2006 at 6:30 p.m.