

TOWN OF WHITESTOWN, INDIANA
RESOLUTION NO. 2008-03

A RESOLUTION REGARDING FIRE PROTECTION IN WHITESTOWN

WHEREAS, the Town of Whitestown, Indiana, ("Town") has annexed certain territory ("Annexation Territory") in Perry and Eagle Townships, Boone County, Indiana pursuant to Ordinance Nos. 2006-20 and 2007-01, effective May 3, 2007, and recorded under instrument 200700004632 with the Boone County, Indiana Recorder's office ("Annexation"); and

WHEREAS, commensurate with the Annexation the Town adopted a fiscal plan and definite policy under Resolutions 2006-18 and 2006-18A ("Fiscal Plan"), wherein the Town stated that it currently does not provide fire protection service within the Town, but such services were and are provided through cooperation with Worth Township Fire ("Worth Fire"), and further that the Town would work with cooperating agencies to facilitate the configuration of the best possible fire protection services for residents/citizens of the Town, including in the Annexation Territory; and

WHEREAS, the Executive Board of the Zionsville Fire Protection Territory ("Territory") has expressed to the Town the Territory's desire to continue to be the provider of fire protection and rescue, emergency response and emergency medical transportation services in all of Eagle Township, including those portions of the Annexation Territory lying within Eagle Township; and

WHEREAS, the Perry Township Volunteer Fire Department ("Perry and Fire") has similarly been and desires to continue to be the provider of fire protection and rescue emergency response in those portions of Perry Township within the Annexation Territory and not otherwise annexed by the Town prior to the Annexation; and

WHEREAS, as outlined in the Fiscal Plan, while the Town does not provide fire protection services the Town desires to ensure the adequate provision of fire protection in and around the Town by facilitating the continued services by the Territory, Perry Fire, and Worth Fire in their respective service areas as they existed prior to the Annexation until a long-term solution can be facilitated by the Town for all parties involved.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town that it recognizes the Territory as the provider of fire protection and rescue, emergency response and emergency medical transportation services in all of Eagle Township, including that portion of Eagle Township lying within the Annexation Territory, and that all of Eagle Township will be so served by the Territory, regardless of the current or any future annexation proposed by the Town, and that the Executive Board will continue to exercise its authority to serve the Territory pursuant to the Fire Territory Interlocal Cooperation Agreement. The Town Council of the Town further recognizes and acknowledges, but does not designate as the provider, that the Zionsville Fire Department is the sole provider of fire protection and rescue, emergency response and emergency medical transportation services in the Territory.

March 13th Next read

The Town Council of the Town recognizes Perry Fire as the provider of fire protection and rescue, emergency response and emergency medical ~~transportation~~ services in that portion of Perry Township lying within the Annexation Territory or as may hereafter be annexed by the Town.

The Town Council of the Town recognizes Worth Fire as the provider of fire protection and rescue, emergency response and emergency medical ~~transportation~~ services in that portion of Town comprising its corporate boundaries as they existed prior to the Annexation.

This Resolution does not and shall not constitute the Town "providing" such services to the portion of the Annexation Territory lying within Eagle Township or Perry Township.

The provisions in this Resolution are intended to maintain the status quo and to permit the parties to continue with their current fire protection services while a long-term regional fire protection solution is crafted. The Town Council anticipates that it will receive regular progress reports on the regional solution from the fire protection entities, and reserves the right to amend or develop a new fire protection plan accordingly. Specifically, the Town Council anticipates amending and/or replacing this Resolution with a more global solution involving Perry Fire, Worth Fire, and the Territory before March 1, 2009. If, however, no superseding resolution is promulgated by the Town, this Resolution shall remain and be in full force and effect.

This Resolution shall be effective upon passage, and shall also relate back to the effective date of the Annexation. While effective, the terms of this Resolution shall supersede any inconsistent terms in all prior resolutions.

PASSED AND ADOPTED BY THE WHITESTOWN, INDIANA TOWN COUNCIL THIS 29TH DAY OF FEBRUARY, 2008.

TOWN OF WHITESTOWN, INDIANA

Jason Tribby

Susan Austin

Dawn Semmler

Kyle West

Kevin Russell

ATTEST: _____
Clerk-Treasurer, Town of Whitestown