

MONROE COUNTY BOARD OF COMMISSIONERS

Date to be heard: September 16, 2020

Item for Formal Meeting?   
(Ex: Routine items, continuing grants)

OR

Item for Work Session / Discussion   
(Ex: Public interest items, Ordinance changes, new grants and grants that add personnel)

Title of item to appear on the agenda:  
*Include VENDOR's Name in title if appropriate*

Public Hearing and Resolution regarding the  
Monroe Fire Protection District's addition of Benton  
Township

*All Grants must complete the following*

Is this a grant request? Yes

New Grant to the County? Yes

Grant Type:

Reimbursement/Drawdown

Up Front Payment

County IS Pass Through

Federal Agency:

Federal Program:

CFDA #

Federal Award Number and Year:

*Or other identifying number*

Pass Through Entity

**Amount Received**

Federal:

State:

Local Match:

Total Received:

**Contracts/Agreements/MOU- Interlocal/Ordinance/Resolution/Grant item:**

Fund Name: NA

Fund Number: NA

Amount: NA

**Executive Summary:**

State Law requires a public hearing when considering adding territory to a fire protection district. In order to approve the addition, the County Commissioners must determine that, as a matter of public policy, the Fire Protection District should be established in the proposed area.

The County has published notice for a public hearing on this item.

Person Presenting: Jeff Cockerill

Department: Legal

*County Legal Review required prior to submission of this form for all contracts*

Attorney who reviewed: Jeff Cockerill

Submitted by: Jeff Cockerill

Date: 9/11/20

ORDINANCE 2020-36

An ordinance to amend Ordinance 87-13, which established the Perry-Clear Creek Fire Protection District in an unincorporated area of Monroe County, Indiana as of June 29, 1987, as previously amended by Ordinance 17-53, which added the additional territory of Indian Creek Township and renamed the Perry-Clear Creek Fire Protection District to the Monroe Fire Protection District and Ordinance 19-34, which added the additional territory of the unincorporated areas of Van Buren Township and Bloomington Township, to add unincorporated territory to the District.

WHEREAS, a petition for the addition of territory into the Monroe Fire Protection District (the "District"), to wit, Benton Township, Monroe County, Indiana, has been filed in the Monroe County Auditor's Office for purposes of adding territory to the previously-established District; and,

WHEREAS, this petition for the addition of territory to the District complied with the relevant procedures and requirements of Indiana Code 36-8-11-1, et seq., entitled "Fire Protection Districts"; and,

WHEREAS, the Monroe County Auditor has audited this petition and presented it to the Monroe County Commissioners at a regularly scheduled meeting; and

WHEREAS, the Monroe County Commissioners find that the petition contained the requisite number of signatures, that a petition against the addition of territory to the District containing the required number of signatures has not been filed, and have found that the evidence does support the addition of territory to the District; and,

WHEREAS, the Monroe County Commissioners held a public hearing to obtain evidence on the public need and necessity of such addition to the District;

It is therefore ordained by the Board of Commissioners of Monroe County, Indiana as follows:

1. This ordinance shall be an amendment to Ordinance 87-13, previously amended by Ordinance 17-53 and Ordinance 19-34, commonly known as the "Perry-Clear Creek Fire Protection District Ordinance," and shall be henceforth associated therewith and attached thereto.
2. The Board of Commissioners hereby add areas of Benton Township, Monroe County, Indiana, which are unincorporated as of the date this Ordinance is adopted, to the existing territory of the District. Such areas shall be part of the District effective January 1, 2022.
3. The purpose of adding said territory to the District shall be those purposes permitted and approved by law and particularly as set forth in the Indiana Code 36-8-11-4.

4. For all legal purposes, the Monroe Fire Protection District shall be treated the same as the former Perry-Clear Creek Fire Protection District and shall explicitly retain its original establishment date of June 29, 1987, as set forth in Ordinance 87-13.
  
5. The Board of Trustees of the Monroe Fire Protection District shall be governed by the provisions regarding the Board of Trustees set forth in Ordinance 87-13. However, the first paragraph of Section 4 of Ordinance 87-13 shall be amended to state, "The Board of Fire Trustees shall be composed of seven members to be appointed as follows: One (1) trustee from Perry Township; One (1) trustee from Clear Creek Township; One (1) trustee from Indian Creek Township; One (1) trustee from Van Buren Township; One (1) trustee from Bloomington Township; One (1) trustee from Benton Township; and One (1) trustee from any of the aforementioned townships."

PASSED BY THE BOARD OF COMMISSIONERS OF THE COUNTY OF MONROE, INDIANA,  
on \_\_\_\_\_, 2020.

"AYES"

"NAYS"

\_\_\_\_\_  
Julie Thomas, President

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Julie Thomas, President

\_\_\_\_\_  
Lee Jones, Vice President

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Lee Jones, Vice President

\_\_\_\_\_  
Penny Githens, Commissioner

\_\_\_\_\_  
Penny Githens, Commissioner

ATTEST: \_\_\_\_\_  
Catherine Smith  
Auditor