

STATE OF INDIANA
DEPARTMENT OF LOCAL GOVERNMENT FINANCE
Room 1058, IGCN – 100 North Senate
Indianapolis, IN 46204

IN THE MATTER OF THE REQUEST)
OF JOHNSON COUNTY SOLID WASTE)
MANAGEMENT DISTRICT, JOHNSON,) A23-023
COUNTY, FOR AN EXCESS LEVY)
DUE TO THREE-YEAR GROWTH)

The Department of Local Government Finance (“Department”) has reviewed an appeal by the Johnson County Solid Waste Management District (“District”) for an excess levy in the amount of \$100,000 to its civil maximum levy due to three-year growth. Indiana Code § 6-1.1-18.5-13 allows the Department to grant permission to a civil taxing unit to increase its maximum levy if the Department finds that the quotient determined under Step Six of the following formula is equal to or greater than one and two-hundredths (1.02):

Step 1: Determine the three calendar years that most immediately precede the ensuing calendar year:

2023, 2022, and 2021

Step 2: Compute separately, for each of the calendar years determined in Step 1, the quotient (rounded to the nearest ten-thousandth (0.0001)) of the sum of the civil taxing unit's total assessed value of all taxable property divided by the sum determined under this Step for the calendar year immediately preceding the particular calendar year.:

District assessed values for 2020, 2021, 2022, and 2023, respectively:

<i>2020:</i>	<i>7,229,240,698</i>
<i>2021:</i>	<i>7,756,686,760</i>
<i>2022:</i>	<i>8,504,416,763</i>
<i>2023:</i>	<i>10,254,510,449</i>

Step 2 quotients:

<i>2021/2020:</i>	<i>1.0730</i>
<i>2022/2021:</i>	<i>1.0964</i>
<i>2023/2022:</i>	<i>1.2058</i>

Step 3: Sum the results of Step 2 and divide by three:

1.1251 ([1.0730+1.0964+1.2058]/3)

Step 4: Compute separately, for each of the calendar years determined in Step 1, the quotient (rounded to the nearest ten-thousandth (0.0001)) of the sum of the total assessed value of all taxable property in all counties divided by the sum determined under this Step for the calendar year immediately preceding the particular calendar year.

Statewide average quotients for 2021, 2022, and 2023, respectively:
 1.0392; 1.0541; 1.1481

Step 5: Add the Step 4 results and divide by three:

1.0804 $([1.0392; 1.0541; 1.1481]/3)$

Step 6: Divide the Step 3 results by the Step 5 results:

1.0414 $(1.1251/1.0804)$

The maximum amount that the Department may award is the amount by which Step 3 exceeds the maximum levy growth quotient (“MLGQ”) as calculated according to Ind. Code § 6-1.1-18.5-2 (this amount is 1.04 or 4% for 2024; since 1.0414 is greater than 1.020, the District is eligible for a three-year growth appeal):

0.0851 (8.51%) $(1.1251-1.0400)$

The District’s 2023 maximum civil levy is \$626,607. This is the most recent civil maximum levy that the Department can use as the basis for an adjustment. Multiplying this figure by the 8.51% growth factor calculated above results in a figure of \$53,324, which is the maximum for which the District could qualify under the statutory formula. Under Ind. Code § 6-1.1-18.5-12(a), the District must also show that it is unable to perform its government functions without this increase.

The District states in its appeal that it is petitioning for an excess levy amount to deal with the rising cost of waste disposal, both in the District’s everyday function and storm clean-up efforts. In the past year, Johnson County has experienced two (2) tornados. The federal government declared that one (1) of the tornados was a disaster and the county was eligible for financial reimbursement. The District indicated that under guidelines from the Indiana Department of Homeland Security, disaster debris planning and collection is delegated to emergency management agencies and solid waste districts. The reported clean-up costs for the June 2023 tornado that struck four (4) neighborhoods in White River Township was over \$400,000.

Additionally, the District stated that the disaster debris line item on an “as needed basis”, and if the District is required to cover the entirety of the expense for debris cleanup, the expense would be “over 2/3rds of [the District’s] operating budget or [the District’s] entire savings.” The Department made a follow-up inquiry with the District regarding the federal reimbursements received and projected cash balances. With the additional information provided, the District confirmed the following breakdown of the costs associated with the two (2) tornados:

Date	Total Clean-Up Costs	Federal Reimbursement	Remaining Local Costs
April 2023	\$112,243.88	\$89,795.11	\$22,448.77
June 2023	\$404,077.01	\$0	\$404,077.01
Total			\$426,525.78

Finally, the District stated on its Budget Form 3 that it seeks an excess levy appeal of \$100,000 for its Special Solid Waste Management Fund.

After a review of the petition, the Department, following Ind. Code §§ 6-1.1-18.5-12 and 13, and in consideration of all evidence provided, finds as follows:

APPROVED WITH MODIFICATION:

The District's excess levy appeal is approved in the amount of **\$53,324**. This figure reflects the amount for which the District qualifies under the statutory three-year growth formula and does not exceed the amount for which the District advertised and petitioned the Department. This is a one-time, permanent increase.

STATE OF INDIANA
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WITNESS MY HAND AND SEAL of this Department on this 29 day of November, 2023.

A handwritten signature in black ink, appearing to read 'D. Shackle', written over a horizontal line.

Daniel Shackle, Commissioner