

**DEPARTMENT OF LOCAL GOVERNMENT FINANCE
100 NORTH SENATE AVENUE
IGC-N, ROOM N1058
INDIANAPOLIS, INDIANA 46204**

**IN THE MATTER OF THE REVIEW OF)
PROPOSED LANGUAGE AND ESTIMATED)
RATE CERTIFICATION FOR A BALLOT) No. 18-014-REF-A
QUESTION REGARDING GOSHEN)
COMMUNITY SCHOOLS)**

**NUNC PRO TUNC
FINDINGS AND FINAL DETERMINATION ON PROPOSED QUESTION SUBMITTED
FEBRUARY 9, 2018**

1. On February 15, 2018, the Department of Local Government Finance (“Department”) approved a proposed ballot question submitted by Goshen Community Schools (“Corporation”), which proposes to issue bonds or enter into a lease to finance the 2018 Safety, Security, Efficiency, Construction and Restoration Project which includes the renovation of and improvements to Goshen High School and Goshen Middle School, the construction of a new facility for intermediate level grade students, and safety, security and efficiency improvements at the other school facilities, which is estimated to cost not more than \$65,000,000 and is estimated to increase the property tax rate for debt service by a maximum of \$0.3790 per \$100 of assessed valuation.
2. Subsequently, the Corporation’s counsel informed the Department that there was a typographical error in the Department’s order and submitted a request on February 20, 2018, to reconsider the Corporation’s proposed ballot language. This Order amends the Department’s February 15, 2018 Order and is to be effective coincident with and corresponding to the approval of the February 15, 2018 Order.
3. Under Indiana law, the voters in the area served by the Corporation will vote in a referendum to approve or deny borrowing for the project and raise property taxes to support it.
4. Indiana law governs the format and wording of the ballot question for the referendum. Indiana Code 6-1.1-20-3.6(c).
5. Under Indiana law, “the **following question shall** be submitted to the eligible voters at the election”:

“Shall _____ (insert the name of the political subdivision) issue bonds or enter into a lease to finance _____ (insert a brief description of the controlled project), which is estimated to cost not more than _____ (insert the total cost of the project) and is estimated to increase the property tax rate for debt service by

_____ (insert increase in tax rate as determined by the department of local government finance)?”

Indiana Code 6-1.1-20-3.6(c) (emphasis added).

6. The ballot question then must contain three parts:

- a brief description of the project;
- the estimated total project cost; and
- the estimated tax rate increase for the project.

7. The law requires the Department of Local Government Finance (“Department”) to determine the estimate of the tax rate increase.

8. The law also requires the Department to either approve the ballot language or recommend that it be modified to ensure that the description of the controlled project is accurate and not biased.

9. The Board requested that the Department review this proposed question:

“Shall Goshen Community Schools issue bonds or enter into a lease to finance 2018 Safety, Security, Efficiency, Construction and Restoration Project which includes the renovation of and improvements to Goshen High School and Goshen Middle School, the construction of a new facility for intermediate level grade students, and safety, security and efficiency improvements at the other school facilities, which is estimated to cost not more than \$65,000,000 and is estimated to increase the property tax rate for debt service by a maximum of \$0.3790 per \$100 of assessed valuation?”

Determination of Tax Rate Increase

10. The Department estimates the tax rate increase in reliance on the Corporation’s proposed debt from the project, assessed valuation of the property in the area served by the Corporation, an amortization schedule submitted by the Corporation, and estimated miscellaneous revenues. Based on this information, the Department certifies a rate of \$0.3790 per \$100 of assessed valuation.

Accuracy and Bias

11. The Department must review the language of the public question to evaluate whether the description of the controlled project is accurate and is not biased against either a vote in favor of or a vote against the controlled project. The Department concludes that the description of the controlled project is not inaccurate and not biased against either a vote in favor of or a vote against the controlled project.

Final Determination

WHEREFORE, based on the above findings and applicable law, the Department finds that the proposed language is in compliance with 6-1.1-20-3.6(c) and approves the language as proposed. The Department certifies a rate of \$0.3790 per \$100 of assessed valuation.

Dated this 21st day of February, 2018.

STATE OF INDIANA
DEPARTMENT OF LOCAL GOVERNMENT FINANCE



Wesley R. Bennett, Commissioner
Department of Local Government Finance