

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

**IN THE MATTER OF THE REQUEST )  
OF NORTHEAST FIRE PROTECTION )  
DISTRICT, ALLEN COUNTY, FOR THE ) IML23-012  
ESTABLISHMENT OF AN INITIAL )  
MAXIMUM LEVY )**

The Department of Local Government Finance (“Department”) has reviewed the request of Northeast Fire Protection District (“District”) for an initial operating fund maximum levy in the amount of \$6,131,762.

The District was established by Ordinance 12-16-22-13 (“Ordinance”) of the Allen County Board of Commissioners on December 16, 2022. The District includes the Town of Grabill (“Grabill”), Leo-Cedarville (“Leo-Cedarville”), the unincorporated areas of Cedar Creek Township (“Cedar Creek”), Springfield Township (“Springfield”), and Scipio Township (“Scipio”). These entities have been part of the Northeast Allen County Fire Protection Territory and all indicated in their respective resolutions, that they wished to transition to a fire protection district.

Specifically, Grabill, Cedar Creek, and Springfield had formed the Northeast Fire and EMS Territory in 2021. In 2022, Leo-Cedarville and Scipio were added as participating units. Subsequently, and before April 1, 2023, each unit adopted ordinances to withdraw from the Territory effective December 31, 2023.

According to the Ordinance:

- The boundaries of the District shall include all of the incorporated area of Grabill and Leo-Cedarville, and the unincorporated area of Cedar Creek, Scipio, and Springfield.
- The Ordinance is effective upon passage.

The District justifies its requested levy amount based on the following budget estimates:

Salaries, Wages, & Benefits	\$5,817,828.44
Professional Services	\$348,103
Supplies	\$4,000
Dues and Subscriptions	\$24,100
Utilities	\$44,220
Fire Services	\$120,000
EMS Services	\$70,000
Repairs & Maintenance	\$413,500
Total	\$6,841,751.44

The District also represents that it will receive \$536,731 in miscellaneous revenues in 2024, made up of the following distributions and charges:

Financial Institutions Tax	\$92
Vehicle/Aircraft Excise	\$336,360
CVET	\$279
EMS Fees	\$200,000
Total	\$536,731

The Budget Form 4B provided by the District represents that the District expects to receive \$6,131,762 in 2024, less \$61,318 from circuit breaker credits, and \$536,731 in miscellaneous revenues, totaling \$6,607,715 ( $\$6,131,762 - \$61,318 + \$536,731 = \$6,607,715$ ). This is also the amount that the Form 4B represents as the District's 2024 budget from its general fund. The Form 4B also indicates the District's budget for a cumulative firefighting building and equipment fund.

The Department recognizes that the District was established prior to January 1, 2023, therefore the District is eligible for a levy beginning in budget year 2021. After a review of the petition, the Department, following Ind. Code 36-8-11 and Ind. Code § 6-1.1-18.5-7, and in consideration of all evidence provided, finds as follows:

**APPROVED WITH MODIFICATION:**

First, the Department approves an initial maximum levy for the District's general fund in the amount of **\$6,070,984**. This amount is equal to the budget for the general fund as stated in the Budget Form 4B (\$6,607,715) less non-property tax revenues (\$536,731) ( $\$6,607,715 - \$536,731 = \$6,070,984$ ).

Pursuant to Ind. Code § 6-1.1-18.5-7(c), the Department must consider the effects of the levy on local income tax distributions to the District. The \$6,070,984 levy for the District in 2024 will increase the countywide attributed allocation for Allen County from \$423,927,155 to \$429,998,139 ( $\$423,927,155 + \$6,070,984 = \$429,998,139$ ). The District is therefore estimated to account for approximately 1.4119% of the increased attributed allocation. Based on this, the District's shares revenue for 2025 is expected to be \$1,008,293, which is 1.4119% of the total countywide share's revenue of \$71,415,808 in 2024 ( $\$71,415,808 * 0.014119 = \$1,008,293$ ). Therefore, the District's maximum levy will be reduced to **\$5,062,691**, plus the adjustment by the maximum levy growth quotient, in pay-2025 to account for the District receiving estimated LIT revenue in the amount of \$1,008,293.

For purposes of Ind. Code § 36-8-11-19, the equipment replacement fund (DLGF Fund Number 8692) and the special fire protection territory general fund (DLGF Fund Number 8604) of Cedar Creek Township, the provider unit of the fire protection territory that the District will replace as of January 1, 2024, will be removed for pay-2024<sup>1</sup>. In addition, the fire fund for Scipio Township

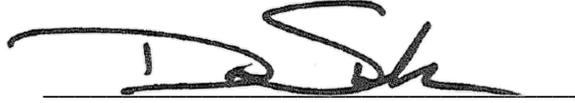
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<sup>1</sup> Ind. Code § 36-8-19-13(b) provides that a unit withdrawing from a fire protection territory is entitled to an adjustment to its maximum levy proportionate to its share of the territory's levy. Ind. Code § 36-8-11-19 prohibits

(DLGF Fund Number 1111) and the cumulative fire fund for Leo-Cedarville (DLGF Fund Number 1191) will be removed for pay-2024.

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Dated this 25 day August, 2023.



**Daniel Shackle, Commissioner**

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double taxation between a district and a unit within the boundaries of the district. An adjustment under Ind. Code § 36-8-19-13(b) serves as establishment of a levy for fire protection for the withdrawing participating unit. Hence, making an adjustment under Ind. Code § 36-8-19-13(b) for any of the units of the former Northeast Allen County Fire Protection Territory would be redundant because it would have to immediately be eliminated on account of the establishment of the initial maximum levy for the District. Therefore, the Department will not make any adjustments to the maximum levies of the former participating units under Ind. Code § 36-8-19-13(b).