

Reorganization committee makes changes

By Ben Woodson/Times Sentinel writer

— The government reorganization committee incorporated three changes recommended by town and township officials into the plan it passed Wednesday, March 12.

The changes were the result of feedback on the plan's executive summary, which was released to Eagle and Union townships and Zionsville last December. The changes impact how street services are funded, the representation on the planning commission and board of zoning appeals, and the ability of the town council to move noncontiguous portions of the rural district into the town district.

Streets

The first change deals with the method of splitting street services between the town and county. It was simplified in response to concerns expressed by Zionsville Street Superintendent Lance Lantz. Most of the street services are paid from money provided to local governments by the state. The initial plan was for the town to collect all the funds and then contract with the county to provide street services in the rural district. The new plan is for the county to collect the funds for the rural district directly from the state.

Planning representation

The second change involves representation on the planning commission and board of zoning appeals. The committee would like to expand representation by two members on each board to enhance the representation from the townships, but because of state statutes setting the number of members and a concern about lawsuits, it decided to keep it at the original makeup.

The government reorganization state statute has a clause stating that the statute overrides all laws that contradict it, which might give the committee authority to add the two members to each board. However, committee members worried that developers who had their projects rejected by the plan commission might try to challenge the legality of the commission as a last-ditch effort to get their development approved. The Zionsville area is the first place to use the reorganization statute, and it has never been tested in court. In a compromise, the committee decided to keep the original number, but try to get a new law passed in the state senate giving the committee explicit lawsuit-proof authority to add the new members. If it gets passed, the two extra members would be added to each board.

In the just-ended session of the Indiana legislature, such a law was introduced and passed by the House, but did not pass the Senate.

For both options, the committee recommended both boards' representation be evenly split between Eagle and Union townships, with Zionsville representatives as part of the Eagle count.

The final member for the plan commission would be appointed by the school board.

Reorganization committee member Jay Parks said planning decisions have a big impact on school population and the school's tax base so the schools should have representation on the commission.

The reasoning behind splitting the representation is that even though Union Township has a much smaller population than Eagle, it has the majority of the land available for development.

Contiguous requirement

The committee decided to delete a clause that would allow the town council to waive the contiguous requirement for some developments when moving from the rural to the urban district. Committee members said this might allow the town to declare a large development, similar to Anson, for example, as part of the town district, and that area would pay the higher town tax rate.

It was deleted at the request of Eagle Township Board Member Ralph Stacey who said the contiguous requirement would be a good way to control growth.

If the contiguous requirement were not in place, some town officials said they would be concerned about the challenges of serving disconnected areas.