

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

**IN THE MATTER OF THE REQUEST                    )**  
**OF HANCOCK COUNTY FOR AN                    )**           **A23-063**  
**EXCESS LEVY DUE TO                            )**  
**THREE-YEAR GROWTH                            )**

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The Department of Local Government Finance (“Department”) has reviewed an appeal by Hancock County (“County”) for an excess levy in the amount of \$912,000 to its civil maximum levy due to three-year growth. Ind. 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.:

*County assessed values for 2020, 2021, 2022, and 2023, respectively:*

<i>2020:</i>	<i>3,693,364,006</i>
<i>2021:</i>	<i>3,899,470,380</i>
<i>2022:</i>	<i>4,244,813,577</i>
<i>2023:</i>	<i>5,142,364,598</i>

*Step 2 quotients:*

<i>2021/2020:</i>	<i>1.0558</i>
<i>2022/2021:</i>	<i>1.0886</i>
<i>2023/2022:</i>	<i>1.2114</i>

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

*1.1186 ([1.0558+1.0886+1.2114]/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:  
*1.0353 (1.1186/1.0804)*

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 1.0353 is greater than 1.020, the County is eligible for a three-year growth appeal):  
*0.0786 (7.86%) (1.1186-1.0400)*

The County’s 2023 maximum civil levy is \$11,611,784. This is the most recent civil maximum levy that the Department can use as the basis for an adjustment. Multiplying this figure by the 6.82% growth factor calculated above results in a figure of \$912,735 which is the maximum for which the County could qualify under the statutory formula. Under Ind. Code § 6-1.1-18.5-12(a), the County must also show that it is unable to perform its government functions without this increase.

The County states in its appeal that its expenses have increased due to development and that it “must generate revenue above the normal growth quotient” in order to “continue to provide high quality services to its residents.” The County mentions as services, police protection, road maintenance, and access to parks.

The Department made an inquiry asking for more detail about the planned expenses the County has for the excess levy. The County responded that it will use revenue from the excess levy “for new Sheriff and County Staff as well as provide funding for increased costs to maintain the County’s roads.” As part of its response, the County provided the following:

- A chart detailing service calls for fire, EMS, and police from 2009 to 2022.
- Counts for County employees from 2019 through 2022.
- A brief list of planned road and trail improvements.

The chart of service calls indicates the following total calls from 2009 through 2022:

<b>Year</b>	<b>Fire/EMS</b>	<b>Police</b>	<b>Year</b>	<b>Fire/EMS</b>	<b>Police</b>
<b>2009</b>	85,199	126,102	<b>2016</b>	75,797	121,056
<b>2010</b>	81,304	109,693	<b>2017</b>	84,102	111,275
<b>2011</b>	78,007	106,224	<b>2018</b>	89,669	109,335
<b>2012</b>	72,365	107,104	<b>2019</b>	95,314	113,746
<b>2013</b>	76,701	105,352	<b>2020</b>	77,756	98,954
<b>2014</b>	78,485	117,270	<b>2021</b>	98,275	108,020
<b>2015</b>	75,029	117,372	<b>2022</b>	105,401	98,770

The County represents the following employee counts:

2019	456
2020	463
2021	488
2022	530

The County then lists the following road and trail improvements, which did not include any elaboration as to cost or timeline:

- Converted 20 miles of gravel road to paved road.
- Added or adding 12 roundabouts.
- Adding or added 10 miles of trails.
- Added 10 new neighborhoods.
- Converted 2.5 miles of 2 lane roads and 4 lane roads.
- Added 6 miles of new roadway.

The Department inquired further about whether the service calls reflected the totals for just the County or for all units in the County, to what extent the County provides fire and EMS services, and how many of the road and trail improvements have been completed. The County clarified that the service call totals are for all units in the County. The County also stated that while it does not directly provide fire or EMS services, it “has financially assisted townships in the County that have struggled to fund those services.” The County also stated that both the service call list and road and trail improvements were provided “to show overall growth and demand for services in the County.” With respect to the later, the County also stated that the projects that have been completed will need to be maintained, but also that the levy appeal “was intended to fund operating costs and not capital items.”

The County stated on its Budget Form 3 that it seeks an excess levy appeal of \$950,000 for its General Fund. The County has not previously submitted an excess levy appeal.

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:

**DENIED:**

The County’s excess levy appeal is denied because the County has not demonstrated how it is unable to perform its government function without an excess levy. The County’s evidence of overall growth in demand for services in the County does not necessarily reflect an increased need for services provided by the County, itself. The County has not provided evidence of how it is unable to meet this need for services, including financially assisting townships with fire and EMS services, under the current maximum levy limits and without an excess levy.

Therefore, the Department denies the appeal. This Order is subject to judicial review under Ind. Code § 6-1.1-18.5-15.

STATE OF INDIANA  
DEPARTMENT OF LOCAL GOVERNMENT FINANCE

**WITNESS MY HAND AND SEAL** of this Department on this 20 day of December, 2023.



**Daniel Shackle, Commissioner**