

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

IN THE MATTER OF THE REQUEST)
OF ODON-WINKELPLECK PUBLIC)
LIBRARY, DAVIESS COUNTY, FOR) **A23-008**
AN EXCESS LEVY DUE TO AN)
EXTENSION OF SERVICES)

The Department of Local Government Finance (“Department”) has reviewed Odon-Winkelpleck Public Library’s (“Library”) appeal for an excess levy in the amount of \$103,797 due to an extension of services, effective January 1, 2023.

Upon 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:

APPROVAL WITH MODIFICATION:

The Library’s excess levy appeal due to extension of services is approved in the amount of **\$94,648** for pay-2024 and **\$68,046** for pay-2025, plus the maximum levy growth quotient.

The Library represents in its appeal that it is extending its service area to include the townships of Van Buren, Bogard, Steele, and Elmore, all in Daviess County. The Library represents that the extension of services will begin on January 1, 2024, and will include the following resources:

1. Physical resources through the Evergreen Consortium.
2. Electronic resources through the Indiana Digital Consortium
3. More open hours.
4. Technology services such as free wi-fi, hotspots, computer access, fax machines, printing, and copy services.
5. More programs, including STEM, literacy, and cultural programs.
6. Opportunities for family visits and other community meetings.
7. More staff to assist patrons with computer, fax, or printing needs.

The Library also states that the requested amount of \$103,797 includes the following: \$50,526 for personal services, as “more staff will be needed; offer competitive wages”; \$7,362 for operating supplies; \$35,409 for services and charges, including “to pay for extra utilities to cover more open hours, more professional help”; and \$10,500 for capital outlays, such as “print and non-print materials, update technology services, and improve the building.” The Library also represents that miscellaneous revenues will total about \$2,030, including from copy fees, laminating, faxes, donations, lost items, and non-resident fees. The Library states the excess levy will be needed as the demands for the larger service area cannot be met with the existing levy.

The Library provided a copy of a resolution by the Daviess County Commissioners, pursuant to Ind. Code § 36-12-5, dated, filed, and recorded on December 27, 2022. Ind. Code § 36-12-5-2 allows a public library to expand its service area “to include additional areas not currently taxed for public library service,” either upon authorization by the county legislative body or public petition. Accordingly, the resolution provides that the Library’s service area will be expanded “to include Van Buren, Bogard, Steele, Elmore Townships.”

Finally, the Library provided an Excel spreadsheet which shows the 2024 proposed budget compared to the 2023 budget and actual expenses from 2022 and 2023. This document shows the line-item costs for each category in the Library’s general fund, with a total of \$189,034 for the proposed 2024 budget compared to \$85,299 from 2023. Taking the difference of these two amount (\$189,034 - \$85,299) results in \$103,735.

The Department finds that the Library has shown that it will be extending governmental services to an additional geographic area; that is, the four townships listed in the resolution adopted under Ind. Code § 36-12-5-6 by the Daviess County Commissioners. In addition, the resolution was adopted and recorded prior to the January 1, 2023, assessment date, meaning that the Library’s expansion would first be effective for pay-2024 taxes.¹ Hence, the Department concludes that the Library is eligible for an excess levy under IC 6-1.1-18.5-13(a)(1). The Town has also indicated on its Form 3 that it seeks an excess levy of \$103,797.

The Department takes into account the fact that an increased maximum levy will generate additional excise tax revenue. In 2024, the Library will receive \$4,420 in excise tax revenue (for funds subject to the Library’s maximum levy), which represents approximately 8.8148% of the Library’s 2024 maximum levy of \$50,143. Thus, an excess levy of \$94,648, combined with the resulting additional excise tax revenue of \$9,149 ($\$50,143 * 0.088148 = \$9,149$; $\$103,797 - \$9,149 = \$50,143$), will provide the Library with the additional levy it is seeking for 2024.

Second, the Department takes into account the fact that an increased maximum levy will generate additional local income tax (“LIT”) revenue for 2025. This includes the increase in attributable allocation and an increase to the Library’s distribution under Ind. Code § 6-3.6-6-3(a)(2). Increasing the Library’s maximum levy by \$94,648 for 2024 will increase the Library’s 2025 LIT attributed allocation to \$159,521 (\$64,873 plus \$94,648) and the countywide LIT attributed allocation to \$31,541,366 (\$31,446,718 plus \$94,648). The Library’s \$159,521 attributed allocation will constitute approximately 0.5058% of the 2025 countywide attributed allocation of \$31,541,366. The Library’s Ind. Code § 6-3.6-6-3(a)(2) distribution is also expected to increase to \$9,415, constituting 0.4025% of the \$2,339,257 countywide Ind. Code § 6-3.6-6-3(a)(2) distribution amount.

¹ The Department should note that while the Daviess County Commissioners’ resolution was shown to have been adopted before January 1, 2023, the certified net assessed values of the Daviess County Auditor did not tie the taxing districts associated with the four townships in the expansion area to the Library’s general fund. The Department, under the authority of Ind. Code § 6-1.1-18.5-14, has corrected the Library’s certified net assessed values accordingly. This correction should not be taken as an ordinary Department procedure, and both the Library and County Auditor should have reviewed the certified net assessed values and verified they reflect the Library’s expansion as authorized in the 2022 resolution.

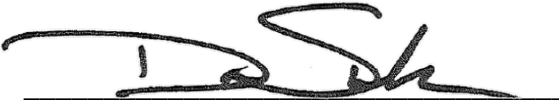
Since a unit's certified shares of LIT are affected by changes in the unit's property tax levy, a 145.8966% increase to the Library's 2025 attributed allocation means the Library is estimated to receive approximately \$26,602 in additional LIT certified shares, including the Ind. Code § 6-3.6-6-3(a)(2) distribution. Thus, adjusting the excess levy to \$68,046 (\$94,648 - \$26,602) for 2025 will then provide the Library with the levy it is seeking after taking into account additional revenues.

Therefore, the Department **APPROVES** the Library's excess levy as follows for the stated tax years. First, for **2023-pay-2024**, the excess levy is approved for **\$94,648**. For **2024-pay-2025**, the excess levy is reduced to **\$68,046**. This is a permanent increase and does not include an increase by the maximum levy growth quotient.

This is a one-time, permanent increase. This does not include an increase by the maximum levy growth quotient.

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



Daniel Shackle, Commissioner