

STATE OF INDIANA )  
 ) SS:  
COUNTY OF HENDRICKS )

IN THE HENDRICKS CIRCUIT COURT  
CAUSE NO. 32C01-9107-MI-257

IN THE MATTER OF THE )  
WEST CENTRAL CONSERVANCY )  
DISTRICT. )

*Alan M. Hux*  
2012 JUL -2 AM 11:20  
FILED

**REQUEST FOR AUTHORIZATION PURSUANT TO I.C. 14-33-5-16**

Comes now the West Central Conservancy District Board of Directors by its attorney, Alan M. Hux, and hereby requests that this Court approve West Central Conservancy District's Resolution 2012-0618-1 a copy of which is attached hereto marked Exhibit A and hereby made a part hereof, and for said request would state to the Court as follows, to-wit:

1. Effective July 1, 2012, the General Assembly of the State of Indiana amended Indiana Code 14-33-5-16 to permit the elected board of directors of conservancy districts to receive reasonable compensation that is approved by a majority of the board of directors and authorized by a court order.

2. At the regular meeting of the West Central Conservancy District Board of Directors which was duly notice pursuant to the applicable statute, the Board of Directors of the West Central Conservancy District passed Resolution 2012-0618-1 a copy of which is attached to this Request for Authorization of West Central Conservancy District setting the compensation for each director to be One Hundred Dollars (\$100.00) per day or any part thereof that a director devotes to work of the District.


3. The Board of Directors represents to the Court that (1) all of the Directors are elected board of director members and (2) this is a reasonable amount of

compensation given the duties and responsibilities of members of the Board of Directors of a sewage district which serves over 8,000 customers and has a budget in excess of Six Million Dollars (\$6,000,000.00) per year; and (3) the increase in compensation is not based on nor will it require an increase of any tax assessment rate or charge by the District.

WHEREFORE the Board of Directors of West Central Conservancy District requests this Court:

- (1) Set a hearing on the District's Request;
- (2) Require Notice to be published in accordance with the Notice attached hereto as Exhibit B; and
- (3) After due consideration, approve and authorize the compensation as set forth in the District's Resolution 2012-0618-1 as set forth herein.

West Central Conservancy District

A handwritten signature in black ink, appearing to read 'A. M. Hux', is written over a horizontal line.

By Alan M. Hux, its attorney

**WEST CENTRAL CONSERVANCY DISTRICT  
RESOLUTION NO. 2012-0618-1**

**WHEREAS**, Indiana Code 14-33-5-16 permits the elected board of directors of a conservancy district to change its compensation to an amount which exceeds \$100.00 for not more than two (2) regular meetings or specially called meetings per month and \$50.00 for not more than five (5) days per month devoted to the work of the district; and

**WHEREAS**, each of the directors of the West Central Conservancy District ("District") is elected and considering the responsibilities of being a member of the board of directors of a sewer district that serves over 8,000 customers and has a budget in excess of \$6,000,000.00 a year, the Board of Directors of West Central Conservancy District is of the opinion that reasonable compensation to members of the Board of Directors of the West Central Conservancy District ("Board") should be changed to a reasonable amount given the duties and responsibilities of the members of the Board; and

**WHEREAS**, the West Central Conservancy District Board of Directors believes that such reasonable compensation would be \$100.00 per day or any part thereof for work devoted to the District with no meeting limitations but subject to the Board's previously adopted compensation policy; and

**WHEREAS**, the reasonable compensation may be set by a majority vote of a conservancy district's board of directors as set forth in Indiana Code 14-33-5-16(b) and authorized by court order; and

**WHEREAS**, the District has sufficient cash flow to pay the compensation set forth herein, therefore the reasonable compensation as set in this Resolution 2012-0618-1 is not based upon and will not be based upon an increase of any tax, assessment, rate or charge by the District.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Directors of the West Central Conservancy District that pursuant to Indiana Code 14-33-5-16(b), the reasonable compensation to be received by directors of the West Central Conservancy District shall be \$100.00 per day or any part thereof for work devoted to the work of the District;

**BE IT FURTHER RESOLVED** that based on the review of the financial statements and financial projections of the District, the Board certifies that the compensation as set forth in this Resolution 2012-

0618-1 is not based upon and will not require an increase of any tax, assessment, rate or charge of the District;


**BE IT FURTHER RESOLVED** that upon approval by a majority vote of the West Central Conservancy District's Board of Directors, the District's attorney is directed to submit this Resolution 2012-0618-1 ("Resolution") to the Hendricks Circuit Court with a request that the Court approve and authorize the compensation as set forth herein;

**BE IT FURTHER RESOLVED** that notwithstanding the date of passage hereof, or the date of the approval and authorization by the Hendricks Circuit Court, the compensation as set forth in this Resolution shall be effective as of July 1, 2002.


**APPROVED AND ADOPTED** at the regular meeting of the West Central Conservancy District Board of Directors this 18<sup>th</sup> day of June, 2012.

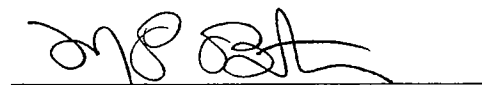
**Board of Directors  
West Central Conservancy District**

  
\_\_\_\_\_  
Paul M. Allen, Chairman

  
\_\_\_\_\_  
William E. Holland, Vice Chairman

\_\_\_\_\_  
W. James Webb, Secretary

  
\_\_\_\_\_  
Charlie Dorton, Financial Clerk

  
\_\_\_\_\_  
Karl P. Buetow, Member

STATE OF INDIANA )  
 ) SS:  
COUNTY OF HENDRICKS )

IN THE HENDRICKS CIRCUIT COURT  
CAUSE NO. 32C01-9107-MI-257

IN THE MATTER OF THE )  
WEST CENTRAL CONSERVANCY )  
DISTRICT. )

### NOTICE OF HEARING

Notice is hereby given that on the \_\_\_\_ day of \_\_\_\_\_, 2012 at \_\_\_\_ o'clock \_\_.M. the Hendricks Circuit Court will hold a hearing to consider issues surrounding the Request of the West Central Conservancy District Board of Directors for the Court, in accordance with Indiana Code 14-33-5-16(b), to approve as reasonable compensation, the compensation as set forth in Resolution 2012-0618-02. Said Resolution can be reviewed at the District's Office or the Court's file. Any party wishing to be heard at this hearing shall submit their comments in writing to the Court no later than the \_\_\_\_ day of \_\_\_\_\_, 2012 at 4:00 p.m. with a copy to be also served on Alan M. Hux, Taft Stettinius & Hollister, LLP, One Indiana Square, Suite 3500, Indianapolis, Indiana 46204. Comments not received in accordance with this Notice will not be considered by the Court.

West Central Conservancy District

\_\_\_\_\_  
By: Alan M. Hux, its attorney

Alan M. Hux  
Taft Stettinius & Hollister, LLP  
One Indiana Square, Suite 3500  
Indianapolis, IN 46204

**Exhibit "B"**

STATE OF INDIANA ) IN THE HENDRICKS CIRCUIT COURT  
 )SS:  
COUNTY OF HENDRICKS ) CAUSE NO.: 32C01-9107-MI-257

IN THE MATTER OF THE )  
WEST CENTRAL CONSERVANCY )  
DISTRICT, )

**ENTRY ON REQUEST FOR  
AUTHORIZATION PURSUANT TO I.C. 14-33-5-16**

Comes now the West Central Conservancy District and files a Request for Authorization Pursuant to I.C. 14-33-5-16. The District shall publish Notice of the Hearing in the Hendricks County Flyer one time on or before the 7<sup>th</sup> day of July, 2012, which Notice shall be in the form as attached hereto.

SO ORDERED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2012.

**FILED**  
JUL 2 2012

\_\_\_\_\_  
Jeffrey V. Boles, Judge  
Hendricks Circuit Court

Alan M. Hux, #7947-49  
TAFT STETTINIUS & HOLLISTER LLP  
One Indiana Square, Suite 3500  
Indianapolis, Indiana 46204  
(317) 713-3583

*Alan M. Hux*  
JUDGE HENDRICKS CIRCUIT COURT

STATE OF INDIANA )  
 ) SS:  
COUNTY OF HENDRICKS )

IN THE HENDRICKS CIRCUIT COURT  
CAUSE NO. 32C01-9107-MI-257

IN THE MATTER OF THE )  
WEST CENTRAL CONSERVANCY )  
DISTRICT. )

### NOTICE OF HEARING

Notice is hereby given that on the 25 day of July, 2012 at 9:00 o'clock A.M. the Hendricks Circuit Court will hold a hearing to consider issues surrounding the Request of the West Central Conservancy District Board of Directors for the Court, in accordance with Indiana Code 14-33-5-16(b), to approve as reasonable compensation, the compensation as set forth in Resolution 2012-0618-02. Said Resolution can be reviewed at the District's Office or the Court's file. Any party wishing to be heard at this hearing shall submit their comments in writing to the Court no later than the 20<sup>th</sup> day of July, 2012 at 4:00 p.m. with a copy to be also served on Alan M. Hux, Taft Stettinius & Hollister, LLP, One Indiana Square, Suite 3500, Indianapolis, Indiana 46204. Comments not received in accordance with this Notice will not be considered by the Court.

West Central Conservancy District

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