

~~ORDINANCE~~ / RESOLUTION FOR APPROPRIATIONS AND TAX RATE

~~Ordinance~~ / Resolution Number: 7-2012

Be it ordained / resolved by the Clay County Council that for the expenses of CLAY COUNTY, Indiana for the year ending December 31, 2013 the sum of \$11,777,737 as shown on Budget Form 4-A are hereby appropriated and ordered set apart out of the funds herein named and for the purposes herein specified, subject to the laws governing the same. Such sums herein appropriated shall be held to include all expenditures authorized to be made during the year, unless otherwise expressly stipulated and provided for by law. In addition, for the purposes of raising revenue to meet the necessary expense of CLAY COUNTY, a total property tax levy of \$3,420,504 and a total tax rate of 0.4090, are adopted as shown on Budget Form 4-B and included herein. Budget Form 4-A and 4-B for all funds and departments are incorporated by the signing of this form and must be completed and submitted in the manner prescribed by the Department of Local Government Finance.

This ordinance / resolution shall be in full force and effect from and after its passage and approval by the taxing Clay County Council.

Name of Adopting Entity	Select Type of Fiscal Body	Date of Adoption
Clay County Council	County Council	10/01/2012

Name		Signature
Michael McCullough	Aye <input checked="" type="checkbox"/> Nay <input type="checkbox"/> Abstain <input type="checkbox"/>	<i>Michael D. McCullough</i>
Rita Rothrock	Aye <input checked="" type="checkbox"/> Nay <input type="checkbox"/> Abstain <input type="checkbox"/>	<i>Rita Rothrock</i>
Steven J Withers	Aye <input checked="" type="checkbox"/> Nay <input type="checkbox"/> Abstain <input type="checkbox"/>	<i>Steven J Withers</i>
Charles (Chip) Hoskins	Aye <input checked="" type="checkbox"/> Nay <input type="checkbox"/> Abstain <input type="checkbox"/>	<i>Charles Hoskins</i>
Larry J Moss	Aye <input checked="" type="checkbox"/> Nay <input type="checkbox"/> Abstain <input type="checkbox"/>	<i>Larry J Moss</i>
Dolores Johnson	Aye <input checked="" type="checkbox"/> Nay <input type="checkbox"/> Abstain <input type="checkbox"/>	<i>Dolores Johnson</i>
Toni Carter	Aye <input checked="" type="checkbox"/> Nay <input type="checkbox"/> Abstain <input type="checkbox"/>	<i>Toni Carter</i>

ATTEST		
Name	Title	Signature
Mary Jo Alumbaugh	Auditor	<i>Mary Jo Alumbaugh</i>

MAYOR ACTION (For City use only)			
Name		Signature	Date
	Approve <input type="checkbox"/>		
	Veto <input type="checkbox"/>		

A motion to approve Ordinance 7-2012 was made by Larry Moss, and seconded by Toni Carter. Motion carried 7 ayes.

IN THE MATTER OF APPROPRIATION REDUCTION

COUNTY REDUCTION OF APPROPRIATION ORDINANCE

Whereas, It has been determined that there is now surplus money appropriated in the annual budget; now, therefore:

Sec. 1. Be It Ordained by the County Council of Clay County, Indiana, that for the expenses of the taxing unit the following surplus sums of money are hereby reduced out of the funds named and for the purposes specified, subject to the laws governing the same:

NAY			AYE
HIGHWAY			
	Maintenance & Repair		
	Stone, Gravel & Bituminous	\$50,000.00	<u>7</u>

Presented to the Clay County Council, read in full and adopted this 1st day of October, 2012.

AYE	NAY
Michael McCullough /s/	_____
_____	_____
Rita E Rothrock /s/	_____
_____	_____
Steven J Withers /s/	_____
_____	_____
Chip Hoskins /s/	_____
_____	_____
Larry J Moss /s/	_____
_____	_____
Dolores Johnson /s/	_____
_____	_____
Toni Carter /s/	_____
_____	_____

Members of the Clay County Council
ATTEST:

 Mary Jo Alumbaugh /s/
Clay County Auditor

Commissioners Charlie Brown and Paul Sinderson appeared before the Council to request an appropriation reduction so that an additional can be made in another area of the highway budget.

A motion to approve as requested was made by Steve Withers and seconded by Rita Rothrock. Motion carried 7 ayes.

After all votes were taken, Toni Carter expressed her concern as to why we have so much excess money in the gravel/stone line item. She then asked why it was necessary to pass a wheel tax if we are not using the supplies/money on the roads now. Paul said the highway has a surplus of stone/gravel at this time.

IN THE MATTER OF TRANSFERS

TRANSFER

WHEREAS, It has been shown that certain existing appropriations now have unobligated balances which will not be needed for the purpose for which appropriated and;

It Is Therefore Ordained by the aforesaid County Council that such unnecessary existing appropriations are now reduced and the money transferred to the necessary and proper appropriations in amounts as follows:

		Aye
Nay		
HIGHWAY		
ADMINISTRATION		
From: Building Repairs & Equipment		
To: Office Supplies	\$500.00	<u>7</u>
UNDISTRIBUTED		
From: Workman's Comp.		
To: Insurance	\$ 10,924.00	<u>7</u>
COUNTY RIVERBOAT		
From: Workman's Comp.		
To: Insurance	\$ 40,739.00	<u>7</u>

PRESENTED to the Clay County Council, read in full and adopted this 1st day of October, 2012

AYE

NAY

Michael McCullough /s/

Rita E Rothrock /s/

Steven J Withers /s/

Chip Hoskins /s/

Larry J Moss /s/

Dolores Johnson /s/

Toni Carter /s/

Members of the Clay County Council
ATTEST:

Mary Jo Alumbaugh /s/
Clay County Auditor

Commissioners Charlie Brown and Paul Sinderson appeared before the Council to request the transfer for the highway department.

Larry Moss made a motion to approve as presented, seconded by Steve Withers. Motion carried 7 ayes.

IN THE MATTER OF ADDITIONAL APPROPRIATION

COUNTY EMERGENCY APPROPRIATION ORDINANCE

Whereas, It has been determined that it is now necessary to appropriate more money than was appropriated in the annual budget; now, therefore:

Sec.1. Be It Ordained by the County Council of Clay County, Indiana, that for the expenses of the taxing unit the following additional sums of money are hereby appropriated out of the funds names and for the purposes specified, subject to the laws governing the same:

	Nay	Aye
COUNTY MISDEMEANANT FUND		
Supplies		
Vehicle	\$34,000.00	<u>7</u>

HIGHWAY		
UNDISTRIBUTED EXPENSE		
Other Services and Charges		
Vehicle Insurance-Comp	\$10,000.00	<u>7</u>

Vehicle Repair	\$40,000.00	<u>7</u>

Presented to the Clay County Council, read in full and adopted this 1st day of October, 2012.

AYE	NAY
_____ Michael McCullough /s/ _____	_____
_____ Rita E Rothrock /s/ _____	_____
_____ Steven J Withers /s/ _____	_____
_____ Chip Hoskins /s/ _____	_____
_____ Larry J Moss /s/ _____	_____
_____ Dolores Johnson /s/ _____	_____
_____ Toni Carter /s/ _____	_____

Members of the Clay County Council
 ATTEST:

_____ Mary Jo Alumbaugh /s/
 Clay County Auditor

Sheriff Mike Heaton appeared before the Council to request money to purchase a new transport vehicle.

A motion to approve as requested was made by Rita Rothrock and seconded by Larry Moss. Motion carried 7 ayes.

Commissioners Charlie Brown and Paul Sinderson appeared before the Council to request money to cover expense through the end of the year.

A motion to approve as requested was made by Chip Hoskins and seconded by Dolores Johnson. Motion carried 7 ayes.

IN THE MATTER OF RESOLUTION 6-2012

RESOLUTION 6-2012

A Resolution of the County Council of
Clay County, Indiana, to amend Resolution 7-2011
Designating an Area Within
Clay County, Indiana as an Economic Revitalization Area
for the Purpose of a Ten Year Real Property Tax Abatement

WHEREAS, a Petition for ten year real property tax abatement has been filed with the County Council of Clay County, Indiana (hereinafter "County Council") requesting that the property described therein be designated an Economic Revitalization Area for purposes of real property tax abatement; and

WHEREAS, **Midwest Property Development Association, LLC**, (hereinafter the "petitioner,") has submitted a Statement of Benefits and provided all information and documentation necessary for the County Council to make an informed decision, said information including a description of the real property which is more particularly described in Exhibit A.

WHEREAS, petitioner has represented and presented evidence that in connection with this Project it currently has an existing 12 full-time jobs with an annual payroll of \$380,000.00. Completion of this project will permit petitioner to maintain the existing full-time jobs and will create approximately 5 new permanent full-time jobs with a total annual payroll of approximately \$196,000.00. Petitioner has further represented and presented evidence that the cost of this project will be approximately \$900,000.00 for real property improvements.

WHEREAS, the County Council is authorized under the provisions of I.C. 6-1.1-12.1-1 et. seq. to designate areas of the County as economic revitalization areas for the purpose of tax abatement; and

WHEREAS, the County Council has considered the petition and Statement of Benefits and has conducted a complete and proper investigation of the subject property and neighborhood to determine that the area qualifies as an economic revitalization area under Indiana statutes; and

WHEREAS, the County Council has found the subject property to be an area where facilities that are technologically, economically, or energy obsolete are located and

where the obsolescence may lead to a decline in employment and tax revenues and has become undesirable for or impossible of normal development and occupancy because of a lack of development, cessation of growth, deterioration of improvements, character of occupancy, age, obsolescence, substandard buildings and other factors which prevent normal development or use;

NOW, THEREFORE, IT IS FOUND, DETERMINED AND RESOLVED by the County Council of Clay County, Indiana, that:

1. The petitioner's estimate of the value of the redevelopment and rehabilitation and the project to be constructed on the subject real property is reasonable for projects of that nature in order to maintain, expand, update and improve opportunities in Clay County for medical care.
2. The petitioner's estimate of the number of individuals who will be employed and retained, and the benefit thereby, can reasonably be expected to result from the project and the redevelopment and rehabilitation.
3. The petitioner's estimate of the annual salaries or wages of the individuals who will be employed and retained, and the benefit thereby, can reasonably be expected to result from the project and the redevelopment and rehabilitation.
4. That the other benefits about which information has been requested can be expected to result from the project and the redevelopment and rehabilitation.
5. The totality of the benefits of the proposed redevelopment and rehabilitation can reasonably be expected to result from the project and are sufficient to justify a ten year real property tax deduction from assessed valuation under Indiana statutes, and each such deduction should be, and they are hereby, allowed.
6. That the petition for designating the subject property as an economic revitalization area for the purposes of ten year real property tax abatement and the Statement of Benefits copies of which were submitted with the petitions are hereby approved and the Real Estate described hereinabove is hereby designated as an Economic Revitalization Area pursuant to I.C. 6-1.1-12.1-1 est. seq., and petitioner is entitled to the ten year real property tax abatement provided therein for the proposed redevelopment and rehabilitation.
7. That notice hereof should be published according to law stating the adoption and substance hereof, that a copy of the description of the affected area is available for inspection in the County Assessor's Office and stating a date on which the County Council will hear and receive remonstrance and objections and take final action, all as required by law.

8. That this Resolution is supplementary to and in addition to any prior resolutions.

9. That this abatement is subject to the terms and provisions of the Abatement Calculation Agreement entered by and between the County Council of Clay County, Indiana, and Petitioner pursuant to I.C. 6-11.1-12.1-2(I).

10. Pursuant to I.C. 6-1.1-12.1-14, the County Council of Clay County, Indiana, has, by Ordinance 3-2005, which was amended by Ordinance 11-2007, established an Abatement Fee, Petitioner has been advised of said fee and agreed to the imposition of the Abatement Fee established by Ordinance 3-2005, which was amended by Ordinance 11-2007, and the incorporation of such fee in this Resolution. Now, therefore the County Council of Clay County, Indiana, incorporates herein the provisions of I.C. 6-1.1-12.1-14 and declares that the percentage to be applied by the County Auditor for purposes of Step Two of I.C. 6-1.1-12.1-14(c) is 5%.

Passed in Open Council this 1st day of October, 2012.

AYE

NAY

Michael McCullough /s/

Rita E Rothrock /s/

Steven J Withers /s/

Chip Hoskins /s/

Larry J Moss /s/

Dolores Johnson /s/

Toni Carter /s/

Members of the Clay County Council

ATTEST:

Mary Jo Alumbaugh /s/
Clay County Auditor

A motion to suspend the rules and pass on first reading was made by Larry Moss and seconded by Rita Rothrock. Motion carried 7 ayes.

A motion to approve Ordinance 6-2012 was made by Toni Carter, and seconded by Rita Rothrock. Motion carried 7 ayes.

IN THE MATTER OF PICTOMETRY

Trent Pell from Pictometry presented a demo of his company's aerial photography using oblique imaging.

IN THE MATTER OF ADJOURNMENT

There being no further business, Larry Moss made a motion to adjourn seconded by Rita Rothrock. Motion carried 7 ayes.

Members of the Clay County Council

Attest:

Clay County Auditor