

**COUNTY COUNCIL AND BOARD OF COMMISSIONERS OF
SHELBY COUNTY, INDIANA**

JOINT ORDINANCE NO. 2022 - 07

**AN ORDINANCE OF TO RE-ESTABLISH THE CUMULATIVE CAPITAL
DEVELOPMENT FUND UNDER INDIANA CODE § 36-9-14.5, et seq.**

WHEREAS, the County Council (“Council”) and Board of Commissioners (“Commissioners”) of Shelby County, Indiana (“County”) have determined that there is a need to re-establish the Shelby County Cumulative Capital Development Fund (“Fund”) under Indiana Code § 36-9-14.5, *et seq.*;

WHEREAS, Indiana Code §§ 36-9-14.5, *et seq.*, and 6-1.1-41, *et seq.*, provide that a property tax levy may be imposed to generate money for the Fund;

WHEREAS, the Council and Commissioners have previously established the Fund by ordinance, and such Fund has been in continuous existence for more than one year;

WHEREAS, the Council and Commissioners intend to utilize the money in the Fund for any purpose under the authority of Indiana Code § 36-9-14.5-2;

WHEREAS, the Fund is presently funded by a tax rate of \$0.0333 per \$100 of assessed valuation pursuant to the 2022 budget approved by the Council and in accordance with the provisions of Indiana Code § 36-9-14.5-6(a);

WHEREAS, Indiana Code § 36-9-14.5-6(b) authorizes the tax rate of a cumulative capital development fund that has been in existence for a period of one or more years to be established at a rate of up to \$0.0333 per \$100 of assessed valuation;

WHEREAS, after giving proper notice by publication on February 18, 2022, and February 25, 2022, the Council and Commissioners held a public hearing on March 15, 2022, regarding the re-establishment of the Fund; and

WHEREAS, following review of the comments and evidence presented at the public hearing, the Council and Commissioners hereby now desire to approve the re-establishment of the cumulative capital development fund pursuant to Indiana Code §§ 36-9-14.5, *et seq.*, and 6-1.1-41, *et seq.*

NOW THEREFORE, it is ordained by the Council and Commissioners as follows:

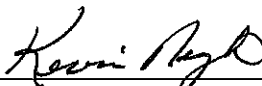
1. There is hereby reestablished a special fund known as the Shelby County Cumulative Capital Development Fund under Indiana Code § 36-9-14.5, *et seq.*
2. The Fund shall be used for any purpose under the authority of Indiana Code § 36-9-14.5-2.

3. The rate for the Fund will not exceed \$0.0333 per \$100 of assessed valuation beginning with taxes payable in 2023.

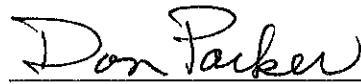
4. This Ordinance shall become effective upon adoption by the Council and Commissioners.

ADOPTED this 21 day of March 2022, by a vote of 3 AYES and 0 NAYS of members of the Commissioners of Shelby County, Indiana.


**BOARD OF COMMISSIONERS OF
SHELBY COUNTY, INDIANA**



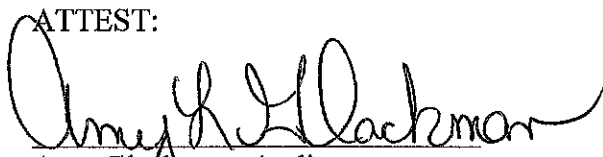
Kevin Nigh, President



Don Parker, Member



Chris Ross, Member

ATTEST:



Amy Glackman, Auditor
Shelby County, Indiana

SO APPROVED, ADOPTED, ADJUDGED, AND DECREED this 15th day of March, 2021.

SHELBY COUNTY COUNCIL

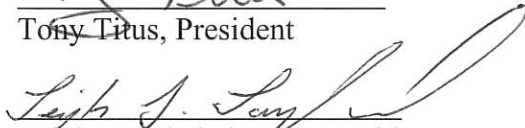
“AYES”

“NAYS”



Tony Titus, President

Tony Titus, President



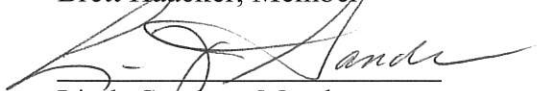
Leigh Langkabel, Vice President

Leigh Langkabel, Vice President



Brett Haacker, Member

Brett Haacker, Member



Linda Sanders, Member

Linda Sanders, Member



Ben Compton, Member

Ben Compton, Member




Ryan Claxton, Member

Ryan Claxton, Member

Terry Smith, Member

Terry Smith, Member

ATTEST:



Amy Glackman, County Auditor