

STATE OF INDIANA

BEFORE THE BOARD OF CLARK COUNTY COMMISSIONERS

ORDINANCE NO. 10 - 2012

**AN ORDINANCE RE-ESTABLISHING THE CLARK COUNTY
CUMULATIVE BRIDGE FUND AND IMPOSING A PROPERTY TAX
RATE FOR SUCH FUND, SUBJECT TO HEARING AND APPROVAL
BY THE DEPARTMENT OF LOCAL GOVERNMENT FINANCE**

WHEREAS, this Board of Commissioners of Clark County, Indiana (this "Board"), is the county executive body pursuant to the provisions of IND. CODE § 36-2-2-2; and,

WHEREAS, IND. CODE § 8-16-3, *et seq.*, and IND. CODE § 6-1.1-41, *et seq.*, authorize this Board to establish and/or re-establish a cumulative bridge fund for purposes of constructing, maintaining, or repairing bridges, approaches, or grade separations; and,

WHEREAS, there are presently some 130 bridges in Clark County over which this Board has maintenance responsibility;

WHEREAS, prior to adoption of this Resolution, this Board held a public hearing on a proposal to re-establish a cumulative bridge fund and impose a property tax rate for such fund on May 10, 2012, notice of which hearing was published in accordance with the provisions of IND. CODE § 5-3-1-2(b) in the form attached hereto as Exhibit "A" as evidenced by the proof of publication attached hereto as Exhibit "B"; and,

WHEREAS, having heard the testimony of all interested persons appearing at the public hearing, this Board now finds that it is in the best interest of the citizens of Clark County, Indiana, to re-establish the *Clark County Cumulative Bridge Fund* and levy a property tax for such fund, subject to approval by the Indiana Department of Local Government Finance (the "DLGF"), pursuant to the terms and conditions of this Ordinance.

NOW, THEREFORE, BE IT ORDAINED by this Board of Clark County Commissioners as follows:

1. The *Clark County Cumulative Bridge Fund* is hereby re-established pursuant to the provisions of IND. CODE § 8-16-3, *et seq.*, and IND. CODE § 6-1.1-41, *et seq.*

2. Subject to approval by the department of the DLGF, a tax at a rate of Five Cents (\$0.05) per each One Hundred Dollars (\$100.00) of assessed valuation shall be levied pursuant to the provisions of IND. CODE § 6-1.1-41-10 and IND. CODE § 8-16-3-3 on all taxable property within Clark County to re-establish the *Clark County Cumulative Bridge Fund*.

3. Subsequent to approval of the re-establishment of, and tax rate for, the *Clark County Cumulative Bridge Fund* by the DLGF, a property tax rate shall be levied annually at the initially approved rate without necessity of further action by this Board, provided that such tax levy shall be advertised annually in the same manner as other tax levies are advertised, subject only to the provisions of IND. CODE § 6-1.1-41-12.

4. The tax established and/or re-established by this Ordinance shall be deposited and held in a special fund to be known as the *Clark County Cumulative Bridge Fund* pursuant to the provisions of IND. CODE § 6-1.1-41-14.

5. The *Clark County Cumulative Bridge Fund* may not be expended for any purpose except constructing, maintaining, or repairing bridges, approaches, or grade separations.

6. An appropriation may be made from the *Clark County Cumulative Bridge Fund* without the approval of the DLGF if this Board requests the appropriation for the purpose of constructing, maintaining, or repairing bridges, approaches, or grade separations pursuant to the provisions of IND. CODE § 8-16-3-3(c).

7. The Clark County Auditor shall submit a certified copy of this Ordinance to the DLGF promptly after its adoption in accordance with the requirements of IND. CODE § 6-1.1-41-

4, notice of which submission shall be published pursuant to the subsequent directions of the DLGF as required by IND. CODE § 6-1.1-41-5.


8. This Ordinance shall be in full force and effect upon its passage and promulgation as evidenced by the affirmative signatures of the undersigned as the majority of the duly elected and serving members of this Board.

So Ordained this _____ day of May, 2012.

Members voting "NO":

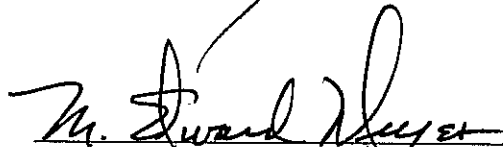
Members voting "YES":

Les Young, President



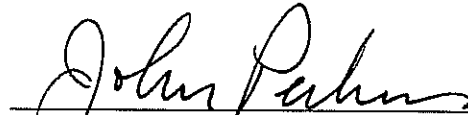
Les Young, President

M. Edward Meyer, Commissioner



M. Edward Meyer, Commissioner

John D. Perkins, Commissioner



John D. Perkins, Commissioner

Attested by:



R. Monty Snelling, Clark County Auditor