

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

**JOINT ORDINANCE NO. 2020 -02**

**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 2020 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 Feb 7, 2020, and Feb. 14, 2020, the Council and Commissioners held a public hearing on February 18, 2020, 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.*

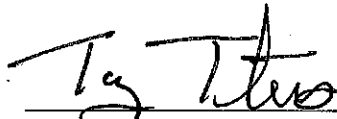
**NOW THEREFORE**, it is ordained by the Council and Commissioners as follows:

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.

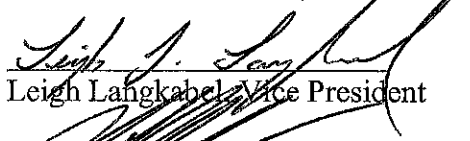
SO APPROVED, ADOPTED, ADJUDGED, AND DECREED this 18th day of February 2020.

**SHELBY COUNTY COUNCIL**

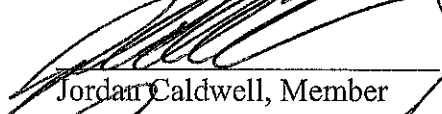
“AYES”



Tony Titus, President



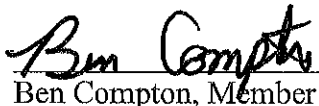
Leigh Langkabel, Vice President



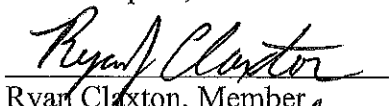
Jordan Caldwell, Member



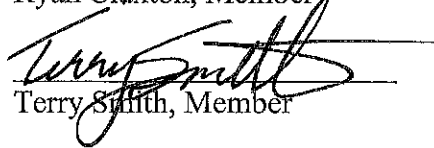
Linda Sanders, Member



Ben Compton, Member



Ryan Claxton, Member



Terry Smith, Member

“NAYS”

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Tony Titus, President

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Leigh Langkabel, Vice President

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Jordan Caldwell, Member

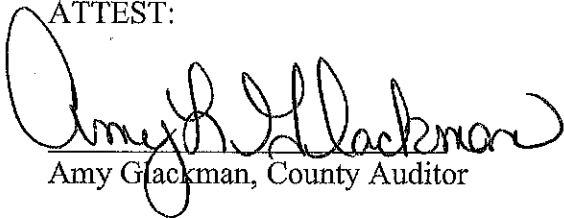
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Linda Sanders, Member

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Ben Compton, Member

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Ryan Claxton, Member

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Terry Smith, Member

ATTEST:



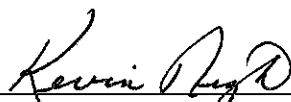
Amy Gackman, County Auditor


3. The rate for the Fund will not exceed \$0.0333 per \$100 of assessed valuation beginning with taxes payable in 2021.

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

ADOPTED this 24<sup>th</sup> day of February 2020, by a vote of 2 AYES and 0 NAYS of members of the Commissioners of Shelby County, Indiana.

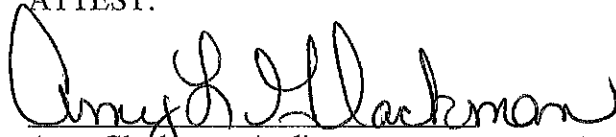
**BOARD OF COMMISSIONERS OF  
SHELBY COUNTY, INDIANA**

  
\_\_\_\_\_  
Kevin Nigh, President

  
\_\_\_\_\_  
Don Parker, Member

\_\_\_\_\_  
Chris Ross, Member

ATTEST:

  
\_\_\_\_\_  
Amy Glackman, Auditor  
Shelby County, Indiana