

STATE OF INDIANA

BEFORE THE BOARD OF CLARK COUNTY COMMISSIONERS

ORDINANCE NO. 28 - 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 during a special meeting held on July 25, 2012, notice of which hearing was published in accordance with the provisions of IND. CODE § 5-3-1-2(f) 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.

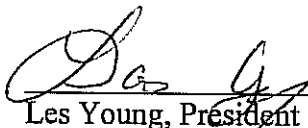
8. This Ordinance shall be in full force and effect upon its passage and promulgation as evidenced by the affirmative signatures of the undersigned as the majority of the duly elected and serving members of this Board.

So Ordained this 26th day of July, 2012.

Members voting "NO":

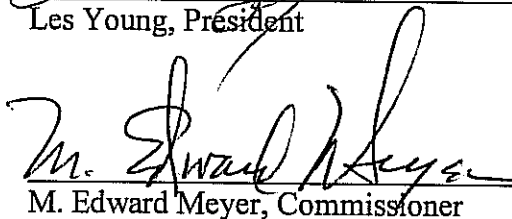
Members voting "YES":

Les Young, President



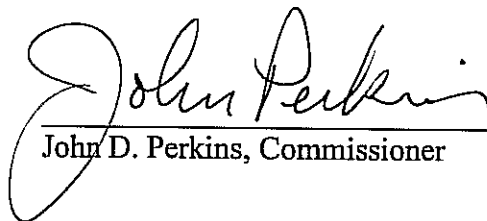
Les Young, President

M. Edward Meyer, Commissioner



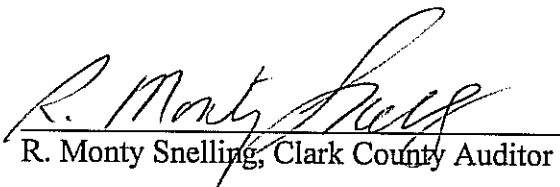
M. Edward Meyer, Commissioner

John D. Perkins, Commissioner



John D. Perkins, Commissioner

Attested by:



R. Monty Snelling, Clark County Auditor

**NOTICE TO TAXPAYERS OF HEARING ON
THE PROPOSED RE-ESTABLISHMENT OF THE
CLARK COUNTY CUMULATIVE BRIDGE FUND**

Notice is hereby to the taxpayers of Clark County, Indiana, the Board of Commissioners of Clark County will consider the re-establishment of the Clark County Cumulative Bridge Fund under the provisions of IC 8-16-3, *et seq.*, and IC 6-1.1-41, *et seq.*, for all uses set forth in IC 8-16-3-1, including without limitation, for purposes of constructing, maintaining, or repairing bridges, approaches, or grade separations, during a special meeting commencing at 4:00 o'clock p.m., on Thursday, July 26, 2012, in the Board's Conference Room in the Clark County Government Building, Room 404, 501 E. Court Avenue, Jeffersonville, Indiana.

The tax will be levied on all taxable real and personal property within Clark County and will not exceed Five Cents (\$0.05) per \$100 of assessed valuation. The proposed fund will be levied beginning with the taxes due for 2012 and payable in the year 2013. Taxpayers appearing at such hearing shall have the right to be heard thereon. The proposal for the re-establishment of the Clark County Cumulative Bridge Fund is subject to approval by the Department of Local Government Finance.

Within thirty (30) days after the date of adoption of the re-established Clark County Cumulative Bridge Fund by the Board of Clark County Commissioners, the Clark County Auditor will publish a Notice of Adoption.

Upon publication of the Notice of Adoption, ten (10) or more taxpayers in the taxing district may file a petition with the Clark County Auditor not later than 12:00 o'clock noon thirty (30) days after the publication of the Notice of Adoption setting forth their objections to the proposed levy.

This Notice given this 9th day of July, 2012.

/s/ R. Monty Snelling, Clark County Auditor

EXHIBIT
"A"

Proof of
Publication

STATE OF INDIANA
COUNTY OF CLARK - SS

Kelly Thomas on oath says that she is the
bookkeeper of NEWS AND TRIBUNE and in
the employ of the publisher of

NEWS AND TRIBUNE,

a daily newspaper of general circulation printed and
published in the city of Jeffersonville, Clark County,
State of Indiana; and further says that the annexed
advertisement was published in said paper for
#(2) time(s) to-wit: In issue of said NEWS AND TRIBUNE
Dated: 7/16, 7/23, 2012.

(X) Kelly Thomas

STATE OF INDIANA
COUNTY OF CLARK

Subscribed and sworn to before me this

26th day of July, 2012.

(X) Joann Galligan
Joann Galligan

Notary Public, Clark County, Indiana

(My Commission Expires August 27, 2014)

629159

Publication

Fee \$ 168.64

EXHIBIT
"B"

INDIANA MEDIA GROUP
PO BOX 607
GREENSBURG IN 47240-0607

ORDER CONFIRMATION

Salesperson: KELLY THOMAS

Printed at 07/26/12 10:33 by kewel

Acct #: 179218

Ad #: 629159

Status: A

APPLEGATE FIFER PULLIAM LLC
PO BOX 1418
428 MEIGS AVENUE
JEFFERSONVILLE IN 47131-1418

Start: 07/16/2012 Stop: 07/23/2012
Times Ord: 2 Times Run: 1
LEG 2.00 X 31.00 Words: 295
Total LEG 62.00
Class: 105 PUBLIC NOTICES
Rate: LMIS1 Cost: 168.64
Affidavits: 1

Contact:
Phone: (812)284-9499
Fax#:
Email:
Agency:

Descript: CUM BRIDGE FUND HEARING
Given by: *
Created: kewel 07/03/12 14:14
Last Changed: kewel 07/10/12 08:59

PUB	ZONE	ED	TP	START	INS	STOP	SMTWTFS
JEPF	JEF	95	S	07/16,23			
JNOL	JEF	95	S	07/16,23			

AUTHORIZATION

Under this agreement rates are subject to change with 30 days notice. In the event of a cancellation before schedule completion, I understand that the rate charged will be based upon the rate for the number of insertions used.

Name (print or type)

Name (signature)

**NOTICE TO TAXPAYERS OF HEARING ON
THE PROPOSED RE-ESTABLISHMENT OF THE
CLARK COUNTY CUMULATIVE BRIDGE FUND**

Notice is hereby to the taxpayers of Clark County, Indiana, the Board of Commissioners of Clark County will consider the re-establishment of the Clark County Cumulative Bridge Fund under the provisions of IC 8-18-3, et seq., and IC 8-1,1-41, et seq., for all uses set forth in IC 8-18-3-1, including without limitation, for purposes of constructing, maintaining, or repairing bridges, approaches, or grade separations, during a special meeting commencing at 4:00 o'clock p.m., on Thursday, July 26, 2012, in the Board's Conference Room in the Clark County Government Building, Room 404, 501 E. Court Avenue, Jeffersonville, Indiana.

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/s/ R. Monty Snelling, Clark County Auditor