

STATE OF INDIANA

BEFORE THE BOARD OF CLARK COUNTY COMMISSIONERS

RESOLUTION NO. 2 -2014

**A RESOLUTION AMENDING THE CLARK COUNTY CAPITAL IMPROVEMENT PLAN IN ORDER TO AUTHORIZE THE EXPENDITURE OF FUNDS FROM THE CLARK COUNTY ECONOMICAL DEVELOPMENT INCOME TAX (“CEDIT”) FUNDS DURING FISCAL YEAR 2014.**

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**WHEREAS**, this Board of Commissioners of Clark County, Indiana (this “Board”), is the executive body of Clark County government pursuant to the provisions of Ind. Code § 36-2-2-2; and,

**WHEREAS**, this Board is also the legislative body of Clark County government pursuant to the provisions of Ind. Code § 36-1-2-9; and,

**WHEREAS**, on January 12, 2004, this Board previously enacted “An Order to Adopt a Capital Improvement Plan” pursuant to the provisions of Ind. Code § 6-3.5-7 *et seq.*, (the “Plan”), which has been amended by resolutions adopted by this Board from time-to-time; and,

**WHEREAS**, this Board recognizes that Clark County government faces significant fiscal shortfalls and in response this Board now finds the Plan should be further amended to permit the expenditure of County Economic Development Income Tax (“CEDIT”) funds for the additional purposes described more particularly herein below.

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

1. The Plan is hereby further amended to permit the expenditure of funds from the Clark County CEDIT Fund for the following purposes:
  - a. Pursuant to the provisions of Ind. Code § 6-3.5-7-13.1(b)(2)(B), to satisfy any pledge of CEDIT revenues to meet the debt service requirements for bonds previously issued;

b. Pursuant to the provisions of Ind. Code § 6-3.5-7-13.1(b)(2)(C), for the payment of lease rentals, specifically including variable rentals for operating expenses of the Clark County Building Authority under its existing lease agreement with this Board for the Clark County Government Building, in an aggregate amount not to exceed ~~Nine~~ <sup>Six</sup> Hundred Eighty-Five Thousand Five Hundred Nineteen Dollars ~~(\$985,519.00)~~ <sup>(685,519.00)</sup> during fiscal year 2014. This authorization may be extended from year-to-year by subsequent amendment to the Plan by resolution of this Board; and,

c. Pursuant to the provisions of Ind. Code § 6-3.5-7-13.1(b)(3), for the lawful purpose in which money in other Clark County funds could be used to pay 2014 group health insurance in an aggregate amount not to exceed ~~Seven Hundred Thousand Dollars (\$700,000.00)~~ <sup>One Million Dollars (\$1,000,000.00)</sup> ~~-\$1,000,000~~

2. Except as specifically amended by this Resolution, the Plan, as previously amended shall remain in full force and effect.
3. The actual expenditure of all CEDIT funds as authorized by this Resolution shall further be subject to appropriation by the Clark County Council.
4. The Audition is directed to annually separate the amounts designated by this Resolution from all other CEDIT uses, allocations, and applications. To the extent CEDIT funds are not fully expended during the fiscal year 2014, such funds shall remain in the CEDIT Fund and not be transferred to the General Fund or any other fund. However, except for the designation and allocation in Section 1(a) above, the designations and allocations made by this Resolution shall expire and lapse as of December 31, 2013, subject to further amendment of the Plan by subsequent resolutions adopted by this Board.
5. This Resolution 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 RESOLVED** this 5<sup>th</sup> day of June, 2014.

*[signature page to follow]*

*Members voting "NO":*

\_\_\_\_\_  
Jack Coffman, Commissioner

\_\_\_\_\_  
Rick Stephenson, Commissioner

\_\_\_\_\_  
John Perkins, Commissioner

*Attested by:*

\_\_\_\_\_  
R. Monty Snelling, Clark County Auditor

*Members voting "YES":*

  
\_\_\_\_\_  
Jack Coffman, Commissioner

  
\_\_\_\_\_  
Rick Stephenson, Commissioner

  
\_\_\_\_\_  
John Perkins, Commissioner