

STARKE COUNTY COUNCIL ORDINANCE 2012-010
ESTABLISHMENT OF AN ADDITIONAL
COUNTY ECONOMIC DEVELOPMENT
INCOME TAX RATE

WHEREAS, IC 6-3.5-7 authorizes the Starke County Council ("Council") to impose the economic development income tax ("EDIT") on the adjusted gross income of Starke County taxpayers;

WHEREAS, a county taxpayer is defined as any individual who: (i) resides in Starke County ("County") on the date specified in IC 6-3.5-7-17; or (ii) maintains a principal place of business or employment in the County on the date specified in IC 6-3.5-7-17 and who does not on that same date reside in another county in which EDIT, the county adjusted gross income tax or the county option income tax is in effect;

WHEREAS, EDIT is currently imposed on the resident and non-resident County taxpayers pursuant to IC 6-3.5-7;

WHEREAS, IC 6-3.5-7-27.6 ("Act") authorizes the County to impose an additional EDIT rate on the adjusted gross income of County taxpayers;

WHEREAS, the Council determines that the additional EDIT is necessary to: (i) finance, construct, acquire and equip the county jail and related buildings and parking facilities, including costs related to the demolition of existing buildings, the acquisition of land and any other reasonably related costs ("Project"); (ii) pay annual lease rentals due under the lease to be entered into with the Starke County Building Corporation ("Corporation") for the Project; and (iii) operate or maintain the Project located in the County; and

WHEREAS, the Council, in addition to the EDIT rates currently imposed, determines that it is necessary to impose an additional EDIT rate of sixty-five hundredths of one percent (0.65%) on the adjusted gross income of County taxpayers for the financing, construction, operation and maintenance of the Project;

NOW, THEREFORE, BE IT ORDAINED BY THE STARKE COUNTY COUNCIL THAT:

The Council hereby finds that, pursuant to the Act, there is a need to impose an additional EDIT rate on the adjusted gross income tax of County taxpayers at the rate of sixty-five hundredths percent (0.65%) for the financing and construction of the Project, to pay annual lease rentals due under a lease to be entered into with the Corporation for the Project ("Lease"), to operate and maintain the Project and for any other purpose authorized by the Act.

The Council hereby imposes an additional county economic development income tax rate on County taxpayers of sixty-five one hundredths of one percent (0.65%) ("Additional EDIT"). The Additional EDIT tax rate increase takes effect October 1, 2012.

The Additional EDIT tax rate imposed in Section 2 may only be imposed until the later of: (1) the date on which the last of any bonds issued or leases entered into to finance the Project are fully paid; or (2) the date on which this ordinance is repealed or rescinded. The term of the Lease may not exceed twenty-five (25) years.

The county treasurer shall establish a county jail revenue fund to be used only for the purposes described herein. All EDIT revenues shall be deposited in the county jail fund before making a certified distribution in compliance with IC 6-3.5-7.11.

The County Auditor shall record all votes taken on this ordinance and immediately send a certified copy of the results by certified mail to the Indiana Department of Revenue.

This ordinance takes effect October 1, 2012.

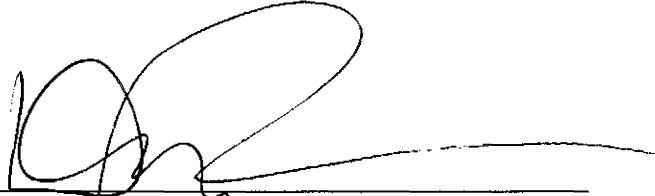
Dated this 20th day of August, 2012, by a vote of 5 ayes and 1 nays.

STARKE COUNTY COUNCIL


VOTE

Aye

Aye



David Pearman, President



Robert Sims

7/2 (Aay)

Marvin D. McLaughlin approved
Marvin D. McLaughlin

Aye

Mitchell Semans
Mitchell Semans

ABSENT

Judy Benninghoff
Judy Benninghoff

Aye

Mark Smith
Mark Smith

Aye

Anthony Radkiewicz
Anthony Radkiewicz

ATTEST:

Katherine Chaffins

Katherine Chaffins, Auditor
Of Starke County Indiana