

2018 EXECUTIVE ORDER

2018-EO-01	3/26/2018	Amending the Capital Improvement Plan
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2018 RESOLUTIONS

Resolution

Resolution Number	Date Passed	Title
2018-R-001	3/26/2018	COUNCIL APPROVING AN ORDER OF THE PLAN COMMISSION
2018-R-002	3/26/2018	REDEVELOPMENT BAN
2018-R-003	4/9/2018	RATIFYING AMENDMENT TO THE COMPREHNSIVE PLAN RECOMENDE BY PLAN COMMISSION
2018-R-004	9/24/2018	DESIGNATING CERTAIN FUNDS FOR REQUIRED 25% LOCAL MATCH OF COMMUNITY CROSSING GRANT PROGRAM
2018-R-005	11/26/2018	RE-AFFIRMIG ORIGINAL HIRE DATES FOR THE CLERK AND DEPUTY CLERK TREASURERS

EXECUTIVE ORDER NO. ^{EO} 2018-01
OF THE TOWN COUNCIL PRESIDENT OF THE
TOWN OF SELLERSBURG, INDIANA

An Order to Amend the Capital Improvement Plan of the Town of
Sellersburg, Indiana

WHEREAS, pursuant to IC 6-3.5-7, the economic development income tax ("EDIT") has been imposed in Clark County, Indiana ("County") through the action of the Clark County Council;

WHEREAS, IC 6-3.5-7 has been repealed effective January 1, 2017 and replaced with IC 6-3.6;

WHEREAS, the Sellersburg ("Town") Redevelopment Commission ("Commission") has determined to issue its: (i) "Redevelopment District Bond Anticipation Notes of 2018" (to be completed with the year in which issued and the appropriate series designation, if any), in one or more series ("Notes"), in order to refund its outstanding Bond Anticipation Notes of 2013, dated August 1, 2013; and (ii) Tax Increment Revenue Bonds of 2018" (to be completed with the year in which issued and appropriate series designation, if any) ("Bonds"), to be issued in one or more series, to undertake certain capital improvements ("Project") in, serving or benefiting the Sellersburg Economic Development Area established by the Commission, redeem the Notes, funding a debt service reserve for the Bonds, capitalized interest and incidental expenses incurred in connection with the Project, including a premium for bond insurance if necessary; and costs associated with issuance of the Notes and the Bonds, pursuant to its bond resolution adopted on March 5, 2018 ("Bond Resolution");

WHEREAS, the Town Council of the Town has pledged the EDIT Allocation to the Commission to the extent Tax Increment (each as defined in the Bond Resolution) is not sufficient, to pay the debt service on the Bonds issued for the Project; and

WHEREAS, it is now necessary to add the payment of debt service on the Bonds to the Plan and to extend the term of the Plan until the Bonds (payable from the EDIT Allocation to the extent Tax Increment is insufficient), issued to finance the Project have been retired;


NOW, THEREFORE BE IT ORDERED AS FOLLOWS, THAT:

Section 1. As executive of the Town, I hereby amend the Plan to include the pledge of the EDIT Allocation to the Plan and to extend the term of the Plan until the Bonds issued to finance the Project have been retired.


Section 2. In all other respects the Capital Improvement Plan of the Town relating to the use of the EDIT Allocation is hereby ratified and confirmed.

Section 3. This order shall become effective from and after the date of its adoption.

Adopted this 26th day of March, 2018.


Town Council President

ATTEST:


Clerk-Treasurer

(SEAL)

RESOLUTION NO. 2018-R-001

RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SELLERSBURG
APPROVING AN ORDER OF THE SELLERSBURG PLAN COMMISSION

WHEREAS, the Sellersburg ("Town") Redevelopment Commission ("Commission") adopted Declaratory Resolution No. 2008-001 on December 8, 2008 ("Original Declaratory Resolution"), establishing the Sellersburg Economic Development Area ("Area"), and the Original Declaratory Resolution was confirmed by Confirmatory Resolution No. 2009-001 adopted on February 23, 2009 ("Original Confirmatory Resolution");

WHEREAS, the Original Declaratory Resolution and the Original Confirmatory Resolution are hereinafter collectively referred to as the "Area Resolution;"

WHEREAS, the Area Resolution established an allocation area in accordance with IC 36-7-14-39 ("Allocation Area"), for the purpose of capturing property taxes generated from the incremental assessed value of real property located in the Allocation Area;

WHEREAS, the Original Declaratory Resolution provided for an expiration date of the allocation provision as twenty-five (25) years from the date of adoption thereof;

WHEREAS, on March 5, 2018, the Commission adopted a resolution amending the Area Resolution ("Amending Declaratory Resolution") for the purpose of revising the expiration date of the allocation provision as provided in the Original Declaratory Resolution so that the allocation provision shall expire no later than twenty-five (25) years after the date on which the first obligation is incurred to pay principal and interest on bonds or lease rentals on leases payable from tax increment revenues;

WHEREAS, the Sellersburg Plan Commission ("Plan Commission"), on the 19th day of March, 2018, approved the Amending Declaratory Resolution; and

WHEREAS, the Act requires approval of the action of the Plan Commission by the Town Council of the Town prior to the Commission holding a public hearing on the amendment;

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF SELLERSBURG, INDIANA, THAT:

Section 1. The action of the Plan Commission on March 19, 2018, determining that the Amending Declaratory Resolution conforms to the comprehensive plan of the Town is in all respects approved by the Town Council.

Section 2. The Clerk-Treasurer is hereby directed to file a copy of the Amending Declaratory Resolution and the approving Order of the Plan Commission with the permanent minutes of this meeting.

Section 3. This resolution shall be effective from and after its passage.

PASSED AND ADOPTED by the Town Council of the Town of Sellersburg, this 26th day of March, 2018.

TOWN COUNCIL OF THE TOWN OF
SELLERSBURG, INDIANA

Paul J. Ghaw
Brad J. Amos
Martina J. Wilbster
John LaMaster
William Conley

ATTEST:

Michelle D. Miller
Clerk-Treasurer

Motion: Amos

Second: LaMaster

Vote: 5-aye, 0-nay

RESOLUTION NO. 2018-R-002

SELLERSBURG TOWN COUNCIL

WHEREAS, the Sellersburg ("Town") Redevelopment Commission ("Commission") has determined to issue its: (i) "Redevelopment District Bond Anticipation Notes of 2018" (to be completed with the year in which issued and the appropriate series designation, if any), in one or more series ("Notes"), in order to refund its outstanding Bond Anticipation Notes of 2013, dated August 1, 2013 ("Refunded Notes"); and (ii) Tax Increment Revenue Bonds of 2018 (to be completed with the year in which issued and appropriate series designation, if any) ("Bonds"), to be issued in one or more series, to undertake certain capital improvements ("Project") in, serving or benefiting the Sellersburg Economic Development Area ("Area"), established by the Commission, redeem the Notes, fund a debt service reserve for the Bonds, capitalized interest and incidental expenses incurred in connection with the Project, including a premium for bond insurance if necessary; and costs associated with issuance of the Notes and the Bonds, pursuant to its bond resolution adopted on March 5, 2018 ("Bond Resolution");

WHEREAS, Clark County has previously imposed the economic development income tax pursuant to IC 6-3.5-7 and the Town was a recipient of a distributive share pursuant to IC 6-3.5-7;

WHEREAS, IC 6-3.5-7 has been repealed effective January 1, 2017 and replaced with IC 6-3.6 ("LIT Statute");

WHEREAS, IC 6-3.6-4-3 of the LIT Statute prohibits the adopting body from reducing the tax rate below a rate that would produce 1.25 times the total of the highest annual outstanding debt service or lease rental for the Bonds;

WHEREAS, IC 6-3.6-6-5 of the LIT Statute prohibits the adopting body from reducing the proportional allocation of the additional revenue that was allocated the preceding year below an amount necessary to pay the Bonds;

WHEREAS, IC 6-3.6-10-2(2) of the LIT Statute permits the issuance of bonds by the Town payable from the Town's economic development allocation set forth in IC 6-3.6-6-4(2) of the LIT Statute ("EDIT Allocation") for the retirement of bonds issued for economic development projects;

WHEREAS, the principal of and interest on the Notes will be payable from proceeds of the Notes and the Bonds; interest on the Notes shall also be payable from Tax Increment (as defined in the Bond Resolution);

WHEREAS, debt service on the Bonds will be payable from Tax Increment and, to the extent Tax Increment is not sufficient, from the EDIT Allocation;

WHEREAS, the Town Council has determined to pledge the EDIT Allocation to be used to pay debt service on the Bonds to the extent Tax Increment in the Area is not sufficient to pay debt service on the Bonds;

WHEREAS, the Project and the payment of debt service on the Bonds from the EDIT Allocation has been or will be included in the capital improvement plan of the Town regarding the use of the EDIT Allocation;

WHEREAS, the Town Council finds that the EDIT Allocation will not be subject to any prior pledge at the time the Bonds are expected to be issued; and

WHEREAS, approval of the Town Council of the Town of Sellersburg, Indiana is required by IC 36-7-14-25.1(p) for the issuance of bonds of the Commission;

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF SELLERSBURG, INDIANA, THAT:

Section 1. The Town Council hereby approves the issuance of the Notes and the issuance of the Bonds in an aggregate principal amount not to exceed \$1,100,000, to apply on the cost of the refunding of the Refunded Notes and the Project, and the incidental costs associated therewith, including costs of issuance, funding a debt service reserve for the Bonds, capitalized interest and incidental expenses incurred in connection with the Project, including a premium for bond insurance, if necessary.

Section 2. In consideration of the Commission's desire to proceed with the financing of the Project, the Town Council hereby pledges the EDIT Allocation for payment of debt service on the Bonds if the Tax Increment collected in the Area is not sufficient.

Section 3. There are no other prior liens, encumbrances or other restrictions on the EDIT Allocation or on the Town's ability to pledge the EDIT Allocation to the payment of debt service on the Bonds.

Section 4. The Town reserves the right to authorize and issue additional obligations payable from the EDIT Allocation at any time ranking on a parity with the Bonds subject to the conditions set forth in the Bond Resolution.

Section 5. This resolution shall be in full force and effect from and after its passage.

PASSED AND ADOPTED by the Town Council of the Town of Sellersburg, this 26th day of March, 2018.

TOWN COUNCIL OF THE TOWN OF
SELLERSBURG, INDIANA

Paul J. Amos
Brad J. Amos
Martina P. Webster
Jim H. LaMaster
William Coulin

ATTEST:

Michelle D. Miller
Clerk-Treasurer

Motion: Amos

Second: LaMaster

Vote: 5-aye, 0-nay

201806713 MISC \$25.00
04/18/2018 02:17:39P 385 PGS
Zachary Payne
Clark County Recorder IN
Recorded as Presented

STATE OF INDIANA

BEFORE THE TOWN COUNCIL OF SELLERSBURG, INDIANA

RESOLUTION NO. 2018 – R – 003

**A RESOLUTION RATIFYING AN AMENDMENT TO THE COMPREHENSIVE PLAN
RECOMMENDED BY THE PLAN COMMISSION OF THE TOWN OF SELLERSBURG,
INDIANA.**

WHEREAS, pursuant to Ind. Code § 36-5-2 *et seq.*, this Town Council of Sellersburg, Indiana (this “Council”) is the town legislative body and the President of the town council is the town executive; and,

WHEREAS, pursuant to Ind. Code § 36-5-2-9, the legislative body may adopt ordinances and resolutions for the performance of functions of the town; and,

WHEREAS, the Plan Commission for Sellersburg, Indiana (the “Commission”) recommended for approval an updated Comprehensive Plan (the “Plan”) to this Council; and,

WHEREAS, on the 26th day of March, 2018 this Council voted to amend the Plan.

NOW THEREFORE, IT IS HEREBY RESOLVED by the Town Council of Sellersburg, Indiana the following amendment to the Cultural Plan Number Four (4) of the Plan:

“Obtain properties for use as new parks and cultural facilities or to enhance existing parks and cultural facilities.”

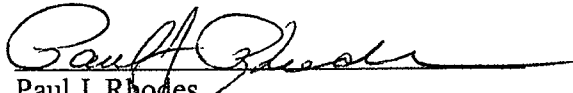
SO RESOLVED by the Town Council of Sellersburg, Indiana on the 9th day of April, 2018.

[Signature page to follow]


RESOLUTION NO. 2018 – R – 003

“Aye”

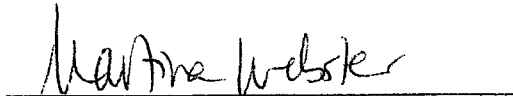
“Nay”


Paul J. Rhodes
Council President

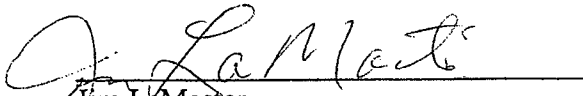
Paul J. Rhodes
Council President


Brad Amos
Council Vice President

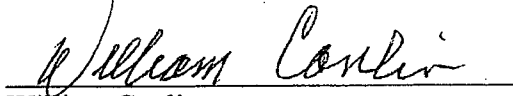
Brad Amos
Council Vice President


Martina Webster
Council Member

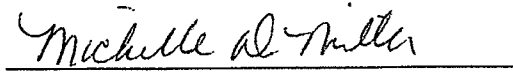
Martina Webster
Council Member


Jim LaMaster
Council Member

Jim LaMaster
Council Member


William Conlin
Council Member

William Conlin
Council Member


Attested by: Michelle Miller
Sellersburg Clerk-Treasurer

Motion: Webster

Second: LaMaster

Vote: 5 aye 0 nay

STATE OF INDIANA

BEFORE THE TOWN COUNCIL OF SELLERSBURG, INDIANA

RESOLUTION NO. 2018 – R – 003

A RESOLUTION RATIFYING AN AMEUREMENT TO THE COMPREHENSIVE PLAN RECOMMENDED BY THE PLAN COMMISSION OF THE TOWN OF SELLERSBURG, INDIANA.

WHEREAS, pursuant to Ind. Code § 36-5-2 *et seq.*, this Town Council of Sellersburg, Indiana (this “Council”) is the town legislative body and the President of the town council is the town executive; and,

WHEREAS, pursuant to Ind. Code § 36-5-2-9, the legislative body may adopt ordinances and resolutions for the performance of functions of the town; and,

WHEREAS, the Plan Commission for Sellersburg, Indiana (the “Commission”) recommended for approval an updated Comprehensive Plan (the “Plan”) to this Council; and,

WHEREAS, on the 26th day of March, 2018 this Council voted to amend the Plan.

NOW THEREFORE, IT IS HEREBY RESOLVED by the Town Council of Sellersburg, Indiana the following amendment to the Cultural Plan Number Four (4) of the Plan:

“Obtain properties for use as new parks and cultural facilities or to enhance existing parks and cultural facilities.”

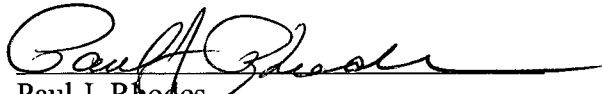
SO RESOLVED by the Town Council of Sellersburg, Indiana on the 9th day of April, 2018.

[Signature page to follow]


RESOLUTION NO. 2018 – R – 003

“Aye”

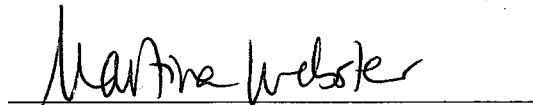
“Nay”


Paul J. Rhodes
Council President


Paul J. Rhodes
Council President


Brad Amos
Council Vice President


Brad Amos
Council Vice President


Martina Webster
Council Member

Martina Webster
Council Member


Jim LaMaster
Council Member

Jim LaMaster
Council Member


William Conlin
Council Member

William Conlin
Council Member


Attested by: Michelle Miller
Sellersburg Clerk-Treasurer

Motion: Webster

Second: LaMaster

Vote: 5 aye 0 nay

STATE OF INDIANA

BEFORE THE TOWN COUNCIL OF SELLERSBURG, INDIANA

RESOLUTION NO. 2018 – R – 004

A RESOLUTION DESIGNATING CERTAIN FUNDS FOR THE REQUIRED 25% LOCAL MATCH OF THE COMMUNITY CROSSINGS MATCHING GRANT PROGRAM FOR THE TOWN OF SELLERSBURG, INDIANA.

WHEREAS, pursuant to Ind. Code § 36-5-2 *et seq.*, this Town Council of Sellersburg, Indiana (this “Council”) is the town legislative body and the President of the town council is the town executive; and,

WHEREAS, pursuant to Ind. Code § 36-5-2-9, the legislative body may adopt ordinances and resolutions for the performance of functions of the town; and,

WHEREAS, the Town of Sellersburg, Indiana (the “Town”) was previously awarded a Community Crossings Matching Grant (the “Grant”); and,

WHEREAS, this Grant and future yearly applications of said Grant, requires a 25% local match and this Council is charged with the responsibility of designating the fund for which the match will be paid out of.

NOW THEREFORE, IT IS HEREBY RESOLVED by the Town Council of Sellersburg, Indiana the following:

1. The 25% local match required by the Grant and Grant program shall be paid for out of fund(s) General Fund, S+S CCMG.

SO RESOLVED by the Town Council of Sellersburg, Indiana on the 24 day of September, 2018.

[Signature page to follow]

“Aye”

“Nay”

Absent

Paul J. Rhodes
Council President

Paul J. Rhodes
Council President

Brad Amos

Brad Amos
Council Vice President

Brad Amos
Council Vice President

Martina Webster

Martina Webster
Council Member

Martina Webster
Council Member

Jim LaMaster

Jim LaMaster
Council Member

Jim LaMaster
Council Member

William Conlin

William Conlin
Council Member

William Conlin
Council Member

Michelle D. Miller

Attested by: Michelle Miller
Sellersburg Clerk-Treasurer

STATE OF INDIANA

BEFORE THE TOWN COUNCIL OF SELLERSBURG, INDIANA

RESOLUTION NO. 2018 – R – 005

**A RESOLUTION REAFFIRMING ORIGINAL HIRE DATES FOR THE CLERK
TREASURER AND CHIEF DEPUTY CLERK TREASURER**

WHEREAS, pursuant to Ind. Code § 36-5-2 *et seq.*, this Town Council of Sellersburg, Indiana (this “Council”) is the town legislative body and the President of the town council is the town executive; and,

WHEREAS, pursuant to Ind. Code § 36-5-2-9, the legislative body may adopt ordinances and resolutions for the performance of functions of the town; and,

WHEREAS, this Council has determined a need to reaffirm the original hire dates of the current Clerk Treasurer and Chief Deputy Clerk Treasurer.

NOW THEREFORE, IT IS HEREBY RESOLVED by the Town Council of Sellersburg, Indiana the following:

1. The original hire dates for the Clerk Treasurer and Chief Deputy Clerk Treasurer are as follows:
 - a. Michelle Miller – 6/16/1989.
 - b. Robin Jones – 1/8/1997.

SO RESOLVED by the Town Council of Sellersburg, Indiana on the 26th day of November, 2018.

[Signature page to follow]

“Aye”

“Nay”



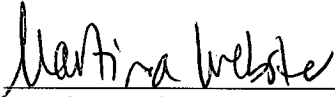
Paul J. Rhodes
Council President

Paul J. Rhodes
Council President



Brad Amos
Council Vice President

Brad Amos
Council Vice President



Martina Webster
Council Member

Martina Webster
Council Member



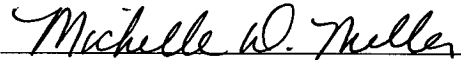
Jim LaMaster
Council Member

Jim LaMaster
Council Member



William Conlin
Council Member

William Conlin
Council Member



Attested by: Michelle Miller
Sellersburg Clerk-Treasurer

Motion: Conlin

Second: Amos

Vote: 5-aye, 0-nay