

ORDINANCE 2011 - 07
AN ORDINANCE TO ADOPT A CAPITAL IMPROVEMENT PLAN
PURSUANT TO IC 6-3.5-7

WHEREAS, the Indiana General Assembly has authorized counties to impose a county economic development income tax ("EDIT") on the adjusted gross income of County taxpayers, in accordance with IC 6-3.5-7 ("Act") and

WHEREAS, Brown County imposed EDIT on the adjusted gross income of County taxpayers in 1990 at a rate of 0.25%; and

WHEREAS, the Town of Nashville adopted a five (5) year Capital Improvement Plan on April 18, 1996, pursuant to IC 6-3.5-7; and

WHEREAS, the term of the fifteen (15) year plan ends on April 18, 2011; and

WHEREAS, the Town of Nashville desires to continue to use EDIT revenues to finance certain projects as authorized by the Act; and

WHEREAS, the Act provides that a city, county, or town which fails to adopt a capital improvement plan may not receive (1) its fractional amount of the certified distribution of revenues from EDIT; or (2) any amount of EDIT revenues designated for its use by a city or town in the county.

NOW, THEREFORE BE IT ORDERED by the Town Council of Nashville, Indiana, that:

1. The Town Council hereby adopts the Capital Improvement Plan of Nashville, Indiana, which plan is attached hereto.
2. This order shall become effective from and after the date of its passage.

PASSED AND ADOPTED by the Nashville Town Council this 15th day of AUGUST 2011.

Robert Kirlin yea nay abstain
Council President Robert Kirlin

Charles B. King yea nay abstain
Council Vice-President Charles B. King

Approved as to form:

James T. Roberts
Attorney for the
Town of Nashville

_____ yea nay abstain
Council Member R. Sean Cassiday

Jane Gore yea nay abstain
Council Member Jane Gore

Arthur Omberg yea nay abstain
Council Member Arthur Omberg

ATTEST:

Brenda K. Young
Clerk-Treasurer, Brenda K. Young

**ECONOMIC DEVELOPMENT INCOME TAX
CAPITAL IMPROVEMENT PLAN
OF NASHVILLE, INDIANA**

Introduction

This document is the Capital Improvement Plan ("Plan") for Nashville, Indiana ("Town"). It is intended for adoption by the Nashville Town Council ("Town Council") in conformance with IC 6-3.5-7.

Term

The term of the Plan is five (5) years from the date of its adoption. The Town Council will review the objectives of this plan at the end of this term and modify those objectives as needs dictate.

Plan Objectives

I.C. 6-3.5-7 requires the adoption of the Plan by the Town Council before the Town may receive its certified distribution of revenues from the Economic Development Income Tax ("EDIT"). The Plan must specify the uses for which the Town proposes to use EDIT revenues.

Use of EDIT Revenues

IC 6-3.5-7-13.1 provides that EDIT revenues may be used for the following:

- (A) Construction of capital projects for which the Town is empowered to issue general obligation notes or establish a fund under any statute listed in IC 6-1.1-18.5-9.8;
- (B) Economic development projects (as defined in IC 6-3.5-7-5-13.1(c));
- (C) Payment of lease rentals under any statute for a Capital project;
- (D) Retirement of notes issued under any provisions of Indiana law for a capital project;
- (E) Contract payments to a not-for-profit corporation whose primary corporate purpose is to assist government on planning and implementing economic development projects; or
- (F) Operating expenses of a governmental entity that plans or implements economic development projects.
- (G) Retirement of notes under IC 6-3.5-7-14 for economic development projects;
- (H) Leases under IC 6-3.5-7-21; or
- (I) Leases or notes entered into or issued prior to the date the EDIT was imposed if the purpose of the lease or the notes would have qualified as a purpose under IC 6-3.5-7 when the Lease was entered into or the notes were issued.

Description of Capital Improvement Projects

Project 1 –The Improvement of Town Infrastructure

General Description

The project is to design and construct infrastructure improvements including but not limited to sidewalks, roadways, drainage and lighting.

Estimated Total Cost \$108,000.00

Sources of Funding

Funding will be \$108,000.00 from EDIT revenues.

Planning, Development and Construction Schedule

Construction is to commence in June 2012 and is to be completed within the term of this plan.

Project 2 – To pursue improvement of Economic Development in the Town of Nashville

General Description

To pursue improvement of Economic Development in the Town of Nashville.

Estimated Total Cost \$72,000 over the Term of the Plan.

Sources of Funding

Funding will be \$72,000.00 from EDIT revenues.

Planning, Development and Construction Schedule

Project is to commence by July, 2012 and to be completed within the term of this plan.

Seventy-five Percent (75%) Test

In accordance with IC 6-3.5-7-15, the Plan incorporates and projects the cost of which is at least seventy-five (75%) of the certified distribution the Town expects to receive during the Term of the Plan as follows:

Expenditures for Term of the Plan:

Project one	\$108,000.00
Project two	\$ 72,000.00
Total	<u>\$180,000.00</u>

Expected Town Certified Distribution for the Term of the Plan:

2012	\$43,312
2013	\$44,178
2014	\$45,062
2014	\$45,963
2015	\$46,882

Total expected Town Certified Distribution for the Term of the Plan: \$225,397.00

Percentage of Certified Distribution allocated to Projects for the Term of the Plan: 79.8%