

**AN ORDINANCE ESTABLISHING THE FLOYD COUNTY
DEPARTMENT OF REDEVELOPMENT AND THE FLOYD
COUNTY REDEVELOPMENT COMMISSION**

WHEREAS, IC 36-7-14 (the "Act") authorizes the Board of Commissioners of Floyd County, Indiana (the "County") to establish a department of redevelopment controlled by a board of five members; and

WHEREAS, in order to pursue the public purposes of the Act, the Board of Commissioners now desires to establish the Floyd County Department of Redevelopment and the Floyd County Redevelopment Commission.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF FLOYD COUNTY, INDIANA, as follows:

SECTION 1. There is hereby created the Department of Redevelopment of Floyd County, Indiana (the "Department of Redevelopment"), which shall be entitled to exercise all the rights, powers, privileges and immunities accorded to such department by the Act.

SECTION 2. Such Department of Redevelopment shall be under the control of a Board of five (5) voting members and one (1) non-voting member to be known as the Floyd County Redevelopment Commission.

SECTION 3. There is hereby created a Board to be known as the Floyd County Redevelopment Commission. Three (3) of said Commissioners shall be appointed by the Board of Commissioners, and two (2) shall be appointed by the County Council of the County (the "County Council"). In addition, the Board of Commissioners shall appoint one (1) non-voting member from the membership of a school board of a school corporation located wholly or partly within the County. Each Redevelopment Commissioner shall serve for one (1) year from the first day of January after his or her appointment and until his or her successor is appointed and has qualified, except that the original Commissioners shall serve from the date of their appointment until the first day of January in the second year after their appointment. If a vacancy occurs, a successor shall be appointed in the same manner as the original Commissioner, and the successor shall serve for the remainder of the vacated term.

Each Redevelopment Commissioner, before beginning his or her duties, shall take and subscribe an oath of office in the form prescribed by law, to be endorsed on the certificate of his or her appointment, which shall be promptly filed with the Auditor of the County.

Each Redevelopment Commissioner, before beginning his or her duties, shall execute a bond payable to the State, with surety to be approved by the Board of Commissioners of the County. The bond must be in a penal sum of Fifteen Thousand Dollars (\$15,000.00) and must be

conditioned on the faithful performance of the duties of his or her office and the accounting for all monies and property that may come into his or her hands or under his or her control. The cost of the bond shall be paid by the Redevelopment District.

SECTION 4. Such Commissioners shall have the qualifications prescribed by the laws of the State of Indiana as from time to time amended and shall qualify as therein provided; and shall exercise and enjoy the rights and powers and assume the duties and obligations conferred and imposed by said Act, including but not limited to the following qualifications:

(a) A Redevelopment Commissioner must be at least 18 years of age and must be a resident of the County. If a Commissioner ceases to be qualified under this Section, he or she forfeits his or her office.

(b) No Redevelopment Commissioner of the County shall receive a salary; but such Redevelopment Commissioners are entitled to reimbursement for expenses necessarily incurred in the performance of their duties.

(c) A Redevelopment Commissioner may not have a pecuniary interest in any contract, employment, purchase or sale made under the provisions of this Ordinance and the Act. However, any property required for redevelopment purposes in which a Commissioner has a pecuniary interest may be acquired, but only by gift or condemnation. A transaction made in violation of this Section of this Ordinance is void.


SECTION 5. The Auditor of the County charged by law for the performance of duties in respect to the funds and accounts of the County, shall perform the same duties with respect to the funds and accounts of the Department of Redevelopment, except as otherwise provided for in the Act.

SECTION 6. If any part of this Ordinance shall be adjudged to be invalid by a Court of proper jurisdiction, it shall be conclusively presumed that the Board of Commissioners would have passed the remainder of this Ordinance without such invalid part.


SECTION 7. This Ordinance shall be in full force and effect immediately from and after its passage by the Board of Commissioners of the County.

PASSED by the Board of Commissioners of Floyd County, Indiana, on the 20th day of August, 2013.

Board of Commissioners of
Floyd County, Indiana



Stephen A. Bush



Mark Seabrook



Charles A. Freiburger

ATTEST



Scott Clark, Auditor