

Fountain County Board of Commissioners

Ordinance 2023 – 3

An Ordinance Re-Establishing the Cumulative Voting System Fund

Whereas, the Fountain County Board of Commissioners has expressed a desire to re-establish and maintain a Cumulative Voting System Fund (“Cum Voting System Fund”), as provided for in Indiana Code §6-1.1-41, and impose a tax levy on all real and personal property in Fountain County, under Indiana Code §6-1.1-41, to provide money for purchasing ballot card voting systems or electronic voting systems. in Fountain County; and

Whereas, the tax rate for 2024 for the Cumulative Voting System Fund is \$0.0167 per \$100 of assessed valuation, and the maximum property tax rate for the Fund per Indiana Code §6-1.1-41 is \$0.0167 per \$100 of assessed valuation. Said tax rate will be levied beginning with taxes for 2023 payable 2024; and

Whereas, the Commissioners provided to the affected taxpayers of Fountain County notice of this proposed ordinance and of the public hearing, as required by Indiana Code §5-3-1, by publishing on April 6 and April 13, 2023 notice of the public hearing in the *Fountain County Neighbor*, the newspaper of general circulation in Fountain County, Indiana; and

Whereas, the Commissioners conducted a public hearing on the proposed ordinance on April 17, 2023 at which time no taxpayers testified regarding the re-establishment of the Cumulative Voting System Fund and the proposed increase in the tax rate of such Fund; and

Whereas, the Commissioners introduced this ordinance on April 3, 2023; and

Whereas, the Indiana Department of Local Government Finance may, under Indiana law, adjust the County's maximum tax rate for the Cumulative Voting System Fund based on trending and reassessment of taxable property located in the County, and the proposed tax increase is subject to approval by the Department; and

Whereas, the Commissioners have a purpose for which the funds can be spent, specifically the construction, repair, maintenance and inspection of Voting Systems, and desire to reestablish the tax rate of the Cumulative Voting System Fund at the proposed rate of \$0.0167 per \$100 assessed valuation; and

Whereas, the Commissioners find that the Cumulative Voting System Fund should be re-established and that the tax rate for the Cumulative Voting System Fund should be \$0.0167 per \$100 assessed valuation.

It is therefore ordained that the Fountain County Board of Commissioners enact:

Section 1. Cumulative Voting System Fund Re-Establishment. The Fountain County Board of Commissioners hereby re-establishes the Cumulative Voting System Fund pursuant to Indiana Code §6-1.1-41, to be used for the purposes allowed and set forth in the Indiana Code, including purchasing ballot card voting systems or electronic voting systems in Fountain County, and now establish the rate to be \$0.0167 per \$100 assessed valuation on all taxable real property and personal property in Fountain County, Indiana.

Section 2. Tax Rate. The County Board of Commissioners now levies a tax on all real and personal property in Fountain County to provide funds to the Cumulative Voting System Fund. The property tax will not exceed \$0.0167 on each \$100 of assessed valuation. This tax rate will be levied beginning with taxes for 2023, due and payable in 2024.

Section 3. DLGF Approval. The County Board of Commissioners directs the County Auditor to submit, to the Indiana Department of Local Government Finance, all proofs of publication of the notices to taxpayers and the Commissioner's public hearing held on April 17, 2023 and a certified copy of this ordinance, as provided by Indiana Code § 6-1.1-41-4, as the County's proposal for re-establishing the Cumulative Voting System Fund and imposing a tax levy by the County to be approved by the Department of Local Government Finance. This proposal must be submitted to the Indiana Department of Local Government Finance before May 1, 2020, in accordance with Indiana Code § 6-1.1-41-5. This ordinance is subject to the approval of the Indiana Department of Local Government Finance.

Section 4. Publication of Notice of Adoption. The Auditor shall publish notice of adoption of this ordinance within seven (7) days of the adoption of this ordinance.

Section 5. Advertisement. The Auditor shall annually advertise this tax levy in the same manner as other tax levies are advertised.

Section 5. Repeal of Conflicting Ordinances. The provisions of all other County ordinances in conflict with the provisions hereof, if any, are of no further force or effect and are hereby repealed.

Section 6. Duration and Effective Date. The provisions of this Ordinance shall become effective immediately and remain in full force and effect until repealed by ordinance.

Adopted this 17th day of April, 2023.

Fountain County, Indiana
Board of Commissioners

Voting Yes:

Voting No:


Brenda Hardy, President


Time Shumaker, Vice President


Andrew Hall, Member

Attest:


Colleen Chambers, Auditor

I affirm under the penalties for perjury that I have taken reasonable care to redact each social security number in this document, unless required by law. /s/ J. Kent Minnette

This instrument prepared by: J. Kent Minnette, Indiana Attorney No. 21362-45, Taylor, Minnette, Schneider & Clutter, P.C., 105 North Washington Street, Crawfordsville, Indiana, 47933, Telephone: (765) 361-9680.