ORDINANCE NO. 0-CC-19-2

PERRY COUNTY COUNCIL

ORDINANCE RESCINDING SECTION 5 OF ORDINANCE NO. 0-CC-12-3 REGARDING APPROVAL OF A LEASE BETWEEN THE PERRY COUNTY REDEVELOPMENT AUTHORITY AND PLEDGING ADDITIONAL EDIT REVENUES TO JAIL FACILITY BONDS OF THE PERRY COUNTY REDEVELOPMENT AUTHORITY

WHEREAS, Ordinance No. 0-CC-12-3 was adopted on May 12, 2012 by the County Council of Perry County, Indiana which sets forth and designates the approval of a Lease between the Perry County Redevelopment Authority and the Perry County Redevelopment Commission and pledged additional EDIT revenues to Jail Facility Bonds of the Perry County Redevelopment Authority, and

WHEREAS, Section 5 of the Ordinance required that the County Council take no action to rescind or repeal the additional EDIT revenues or take any action that would result in the County receiving a smaller share of additional EDIT Revenues effective on the date of the passage of the Ordinance.

WHEREAS, due to County Council's determination that it must remain free to act in the best interests of the residents of Perry County on issues relating to EDIT revenues, the section which therefore attempts to limit the County Council's ability to rescind, modify or repeal in whole or in part the receipt of EDIT revenues is inimicable with the mandate of the County Council to properly govern with respect to financial matters affecting the County and its populace.

NOW, THEREFORE, be it ordained by the Perry County Council of Indiana, as follows, that:

Section 5 of Ordinance No. 0-CC-12-3 which purports to limit the ability of the County Council to take any action to rescind or repeal EDIT Revenues or to take any action that would result in the County receiving a smaller certified share of Additional EDIT Revenues than the certified share of Additional EDIT Revenues to which it was entitled on the effective date of the Ordinance or as long as lease payments are payable under the Lease; is hereby rescinded and repealed in full.

The aforesaid rescission and repeal of Section 5 of Ordinance No. 0-CC-12-3, shall be in full force and effect upon the date of passage of this Ordinance. The remaining portions and sections of Ordinance No. 0-CC-12-3 shall remain in full force and effect.

PASSED AND ADOPTED by the Perry Council of Indiana, on this 27th day of June, 2019 by a vote of 7 ayes and 0 nays.

COUNTY COUNCIL OF PERRY COUNTY, INDIANA

ATTEST:
Pamela L. Diffinet
Auditor