

ORDINANCE NO. 2009-12

ORDINANCE ESTABLISHING DEPARTMENT OF ECONOMIC DEVELOPMENT  
AND AUTHORIZING RELATED MATTERS

WHEREAS, Indiana Code 36-7-11.9 and 36-7-12 (collectively, the “Act”) provides that the financing of single, identified economic development or pollution control facilities (as defined in the Act) and the provision of a program to finance multiple, unidentified economic development or pollution control facilities that promote a substantial likelihood of:

- (1) creating or retaining opportunities for gainful employment;
- (2) creating business opportunities;
- (3) providing reliable water services;
- (4) the abatement, reduction or prevention of pollution; or
- (5) the removal or treatment of substances in materials being processed that otherwise would cause pollution when used;

serve a public purpose and will be of benefit to the health or general welfare of the unit proposing to issue bonds for the financing or program or of the unit where the facilities that are to be financed are located; and

WHEREAS, the Act provides that, if the fiscal body of a unit finds it necessary to finance economic development or pollution control facilities under the Act, the fiscal body may establish a department of economic development, to be controlled by an economic development commission;

NOW, THEREFORE, BE IT ORDAINED by the County Council of the County of Martin, Indiana, as follows:

Section 1. This County Council hereby finds it necessary to finance economic development or pollution control facilities under the Act.

Section 2. This County Council hereby establishes a department of economic development, to be controlled by a commission known as “Martin County Economic Development Commission” (the “Commission”).

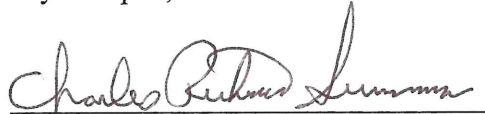
Section 3. After the adoption of this ordinance, the Auditor of the County of Martin, Indiana (the “County”) is hereby authorized and directed to promptly notify the County Commissioners of the County and the fiscal body of the most populous municipality located in the County in order to obtain nominations from such bodies to the Commission.

Section 4. Any officer of the County is hereby authorized and directed, for and on behalf of the County, to execute and deliver any instrument or take any other action as such officer determines to be necessary or desirable to accomplish the purposes of this ordinance, including

the nomination by the County Council of a person to serve upon the Commission, and the forwarding of such nomination to the Board of Commissioners of the County, such determination to be conclusively evidenced by such officer's having executed such instrument or having taken such action, and any such officer's having executed and delivered any such instrument or having taken any such action is hereby ratified and approved.

Section 5. This ordinance shall be effective immediately upon its adoption.

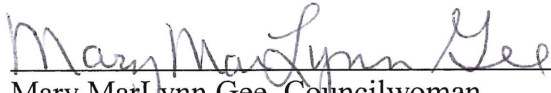
Passed and adopted by the County Council of the County of Martin, Indiana on this 27<sup>th</sup> day of April, 2009.



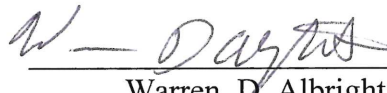
Charles Richard Summers, President



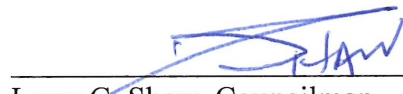
Randy L. Winger, Councilman



Mary MarLynn Gee, Councilwoman



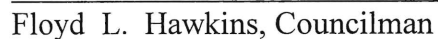
Warren D. Albright, Councilman



Larry G. Shaw, Councilman

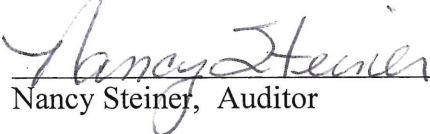


John D. Stoll, Councilman



Floyd L. Hawkins, Councilman

Attest:



Nancy Steiner, Auditor