

AMENDED RESOLUTION NO. 2019-036A

AN AMENDED RESOLUTION OF THE DELAWARE COUNTY BOARD OF COMMISSIONERS TO JOINTLY UNDERTAKE AN ECONOMIC DEVELOPMENT PROJECT WITH THE TOWN OF YORKTOWN, INDIANA PURSUANT TO IND. CODE § 36-7-25-1 ET SEQ.

WHEREAS, the Delaware County Board of Commissioners (the “Commissioners”) serves as the legislative body of Delaware County, Indiana; and

WHEREAS, the County has previously established a department of redevelopment controlled by the Delaware County Redevelopment Commission, which is subject to oversight by the Commissioners; and

WHEREAS, the Delaware County Redevelopment Commission has established certain allocation areas within various economic development areas throughout the County, which receive property tax revenue from properties located within these allocation areas; and

WHEREAS, the Board of Commissioners of Delaware County believe that it is in the best interest of the County to work with the Town of Yorktown on their economic and quality of life projects; and

WHEREAS, the Board of Commissioners express a desire to have a long-term relationship with the Town of Yorktown officials for the overall improvement of the County; and

WHEREAS, the Town of Yorktown, Indiana (the “Town”) has submitted a proposal to the Commissioners to jointly undertake economic development projects within the Town that will serve or benefit both units’ jurisdictions; and

WHEREAS, Delaware County has some economic development areas in the Town of Yorktown which could be utilized for the benefit of Yorktown economic and quality of life projects; and

WHEREAS, the Commissioners now desire to enter into discussions with the Town regarding an agreement to jointly undertake economic development projects within the Town pursuant to the provisions of Ind. Code § 36-7-25-1 *et seq.* according to the general parameters stated herein.

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF DELAWARE COUNTY, INDIANA:

1. The Delaware County Board of Commissioners, through its duly appointed designee(s), shall, upon receipt of an economic development project proposal from the Town of Yorktown, engage in discussions with the Town to establish the terms and conditions of an agreement to jointly undertake the proposed project within the Town pursuant to the provisions of Ind. Code § 36-7-25-1 *et seq.*
2. The Board of Commissioners pledge to work together and enter agreements with the Town to jointly undertake economic development projects within the Town shall contain those terms and conditions which are in the best interest of both the Town and the County, but shall be subject to the following limitations:
 - a. The agreement shall be conditioned on the Town’s willingness and ability to amend any and all applicable economic development plans to ensure the Town is properly authorized to engage in a joint project with the County.
 - b. The agreement shall include a term of at least ten (10) years beginning from the effective date.
 - c. The agreement shall also be reviewed and approved by the Delaware County Redevelopment Commission.

- d. The Board of Commissioners shall work with the Town of Yorktown and the Delaware County Redevelopment Commission to assist in funding economic development projects in the Town of Yorktown in amounts not to exceed One Million Three Hundred Thousand and 00/100 (\$1,300,000.00) Dollars in the first year of the agreement term and up to Three Hundred Thousand and 00/100 (\$300,000.00) Dollars in each subsequent year of the term. The County's assistance towards these projects shall be funded exclusively from allocation area revenue received by the Delaware County Redevelopment Commission.
 - e. The agreement shall only obligate the County to pledge revenue from those allocations area(s) within the jurisdiction of Delaware County that are contiguous to the allocation area(s) within the jurisdiction of the Town of Yorktown.
3. A proposed agreement with the Town to jointly undertake economic development projects within the Town shall be subject to final approval of, and execution by, the Commissioners and the Redevelopment Commission before such agreement may become effective.
 4. The Commissioners shall not approve a final proposed agreement with the Town to jointly undertake economic development projects within the Town unless the Commissioners specifically find that the economic development projects described in the agreement will serve or benefit the County's applicable allocation areas.
 5. This Resolution shall be effective upon adoption.

DULY ADOPTED by the Board of Commissioners of Delaware County at a regularly scheduled public meeting held on this, the ____ day of _____, 2019.

*DELAWARE COUNTY
BOARD OF COMMISSIONERS*

Sherry Riggin, President

James King, Commissioner

Shannon Henry, Commissioner

ATTEST:

Steven Craycraft, Auditor
Delaware County, Indiana