

RESOLUTION 97- 22

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS  
OF PORTER COUNTY, INDIANA, AMENDING  
ITS ORIGINAL AND SUBSEQUENT RESOLUTIONS CREATING  
A COMMISSION TO PROMOTE THE DEVELOPMENT AND  
GROWTH OF THE CONVENTION, RECREATION AND  
VISITOR INDUSTRY IN PORTER COUNTY  
PURSUANT TO I.C. 6-9-18-3

WHEREAS, the Porter County Board of Commissioners initially created the Porter County Convention, Recreation and Visitor Commission pursuant to I.C. 6-9-18-1 by way of Resolution 84-4 on May 21, 1984 and subsequent thereto amended the aforementioned original enabling resolution by way of Resolution 94-13 on November 21, 1994 and have subsequently thereto confirmed the Board of County Commissioners commitment to the continuing operation and existence of the Porter County Convention, Recreation and Visitor Commission; and,

WHEREAS, the Board of County Commissioners is desirous of making certain amendments to the aforementioned prior resolutions so as to assure compliance with the amendments to I.C. 6-9-18-3 which take effect as of January 1, 1998.

THEREFORE, BE IT AND IT IS HEREBY RESOLVED, that the Porter County Board of Commissioners do hereby amend the prior resolutions creating the Porter County Convention, Recreation and Visitor Commission and that any and all provisions of the original resolutions found to be contrary or inconsistent to this amendment shall be considered to have been amended as follows:

Section 1: The membership on said Commission shall consist of nine (9) members, all of whom must reside in Porter County, Indiana. Each member shall be appointed to a two (2) year term on the Commission with each term commencing on January 1 and concluding on December 31 of the subsequent year. No more than a simple majority of members of the Commission may be affiliated with the same political party and a simple majority must be engaged in a convention, visitor or tourism business; or must be involved in or promoting conventions, visitors or tourism. The members of the Commission shall henceforth

be appointed as follows:

(A) The Mayor of the City of Portage shall appoint two (2) members, each of whom shall be a resident of Portage Township. One of said appointees shall be engaged in the business of renting or furnishing rooms, lodging or accommodations.

(B) The Mayor of the City of Valparaiso shall appoint one (1) member to the Commission who shall be a resident of Center Township.

(C) The Town Boards of Chesterton, Porter and Burns Harbor, collectively, shall appoint one (1) member who shall be a resident of Westchester Township. In the event that a majority of two (2) of the three (3) above-named town boards cannot concur on the appointment by December 1, said appointment shall then be made by the Porter County Board of Commissioners.

(D) The Porter County Council shall appoint one (1) member.

(E) The Towns of Kouts, and Hebron, collectively, shall appoint one (1) member who shall be a resident of Boone, Pleasant, Porter or Morgan Townships. If the Towns of Kouts and Hebron cannot agree on an appointment by December 1, then said appointment shall be made by the Porter County Board of Commissioners.

(F) Following all of the above enumerated appointments, the Board of County Commissioners shall make three (3) appointments to the Commission. If available and willing to serve, one (1) of the three (3) appointments of the Board of County Commissioners shall be engaged in the business of renting or furnishing rooms, lodging, or accommodations.

Section 2. Each appointing authority shall, on or before December 1 of each calendar year, appoint the person who will fill its respective position on the Commission. The person so appointed shall take office on January 1 of the following year. In the event that any of the political subdivisions enumerated in Section 1 of this resolution fail to appoint its member or members to the Commission by February 1 or if a vacancy on the Commission is not filled within thirty (30) days, the Commission shall, by a majority vote, appoint a replacement to fill the unexpired term.

Section 3. In addition to those requirements to be found in the Indiana Code and those which the Commission imposes on itself, the following requirements and

procedures shall be followed by the Commission:

(A) The Commission meetings shall be held not less than monthly.

(B) The Commission shall conduct itself as a public body and shall observe the requirements of the Indiana Open Door Law. It shall post an agenda and maintain minutes of its meetings.

(C) Minutes of the meetings of the Commission shall be completed and distributed to its membership in a timely fashion and a copy of all minutes shall be delivered to the Porter County Board of Commissioners.

(D) Each Commission member shall faithfully attend all Commission meetings. In the event that any Commission member is absent from three (3) consecutive Commission meetings, said member may be removed from the membership of the Commission by the Porter County Board of Commissioners at its discretion.

Section 4. All monies coming into possession of the Commission shall be deposited, held, secured, invested and paid in accordance with Indiana statutes relating to the handling of public funds. The handling and expenditure of money coming into possession of the Commission shall be subject to audit and supervision by the State Board of Accounts pursuant to I.C. 6-9-18-7.

Section 5. The terms and provisions of this resolution shall remain in force and effect until subsequently amended by the Porter County Board of Commissioners.

ALL OF WHICH HAVING BEEN RESOLVED by the Porter County Board of Commissioners this 16th day of December, 1997.

PORTER COUNTY BOARD OF COMMISSIONERS

  
\_\_\_\_\_  
Brian E. Gesse

  
\_\_\_\_\_  
Karen Hughes

  
\_\_\_\_\_  
James Biggs

ATTEST:

  
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Auditor, Porter County

RESOLUTION NO. 89-6

RESOLUTION OF THE PORTER COUNTY COUNCIL  
AMENDING RESOLUTION 85-7 WHICH ESTABLISHED  
THE PORTER COUNTY INNKEEPER'S TAX

WHEREAS, Section 4(c) of the Uniform County Innkeeper's Tax Statute (I.C. 6-9-18-4(c)) provides that the monies contained in the Convention, Recreation and Visitor Promotion Fund may be expended only to promote and encourage conventions, trade shows, special events, recreation, and visitors, or industrial development, within the county; and

WHEREAS, the Porter County Board of Commissioners adopted Resolution 84-4 on the 21st day of May, 1984, and pursuant thereto established the Porter County Convention, Recreation and Visitor Commission and established as the purpose of said Commission the promotion and encouragement of "conventions, trade shows, special events, recreation, visitation, and industrial development within Porter County"; and

WHEREAS, the Porter County Council adopted Resolution 85-7 on the 23rd day of April, 1985, and pursuant thereto created the Porter County Innkeeper's Tax and further provided that "none of the monies collected from the adoption of the Porter County Innkeeper's Tax shall be currently used for industrial development"; and

WHEREAS, the Porter County Council is now desirous of amending the aforementioned Resolution by modifying the prohibition against expenditure of Innkeeper tax fund revenues for economic or industrial development purposes.

THEREFORE, BE IT RESOLVED by the Porter County Council that Porter County Council Resolution 85-7 should be and the same is hereby amended and modified to allow expenditure of Porter County Innkeeper Tax monies to promote and encourage conventions, trade shows, special events, recreation, and visitors or industrial development within Porter County, Indiana.

ALL OF WHICH HAVING BEEN RESOLVED by the Porter County Council this 25th day of July, 1989.

AYES

NAYES

Ruth Ann McWhorter

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Richard A. Beckman

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Ronald M. Sullivan

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James S. Hayes

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D.K. W.

\_\_\_\_\_

James S. Smith

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Michael J. Hylkowitz

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Attest:

Jacquelyn Sterling  
Jacquelyn Sterling, Auditor

file

RESOLUTION 84-4

RESOLUTION OF THE COMMISSIONERS OF PORTER COUNTY,  
INDIANA, CREATING A COMMISSION TO PROMOTE THE  
DEVELOPMENT AND GROWTH OF THE CONVENTION, RE-  
CREATION AND VISITOR INDUSTRY IN PORTER COUNTY  
PURSUANT TO IC 6-9-18-3.

WHEREAS, the Legislature for the State of Indiana has passed into law a Bill providing for a Uniform County InnKeepers Tax pursuant to IC 6-9-18-1, and

WHEREAS, monies collected as a result of the imposition of said tax are expendable for the purpose of promoting and encouraging conventions, trade shows, special events, recreation, visitors or industrial development within the County,

BE IT AND IT IS HEREBY RESOLVED, that the Board of Commissioners of Porter County do hereby establish a Porter County Convention, Recreation and Visitor Commission whose purpose it shall be to promote and encourage conventions, trade shows, special events, recreation, visitation and industrial development within Porter County, Indiana, in the manner set forth below:

- SECTION 1. The membership of said Commission shall consist of nine (9) members all of whom must reside in Porter County, Indiana. The initial appointments shall be for staggered terms with all subsequent appointments for two (2) year terms. Each term shall commence on January 1st and shall conclude on December 31st. No more than a simple majority of members may be affiliated with the same political party. The members of the Commission shall be appointed as follows:
- a. The Mayor of the City of Portage shall appoint two (2) members each of whom shall be a resident of Portage Township. One of said appointees shall engage as an owner, operator or employee of a hotel, motel, inn or campground business operating in Portage Township. Of the two members appointed by the Mayor of Portage one shall have a term which expires December 31, 1985, and the other shall have a term which expires December 31, 1986.
  - b. The Mayor of the City of Valparaiso ✓ shall appoint one (1) member who shall be a resident of Center Township. Said member shall have a term which expires on December 31, 1986.

- c. The Town Boards of Chesterton, Porter and Burns Harbor, collectively, shall appoint one (1) member who shall be a resident of Westchester Township. Said member shall have a term which expires December 31, 1986. In the event that a majority of two (2) of the three (3) above-named Town Boards cannot concur on the appointment within thirty days, then said appointment shall be made by the Board of Commissioners of Porter County.
- d. The County Council of Porter County shall appoint one (1) member. The initial term of this member shall expire December 31, 1985.
- e. The Town of Kouts and Hebron, collectively, shall appoint one (1) member who shall be a resident of Boone, Pleasant, Porter or Morgan Township. If a majority of the members of the two (2) Town Boards cannot concur, and said appointment is not made within thirty days the appointment shall revert to the County Commissioners. The initial term of this member will expire December 31, 1986.
- f. Subsequent to the above-mentioned appointments having been made, the Board of Commissioners shall appoint three (3) members. The initial term of one member will expire on December 31, 1985 and the other two members' initial terms will expire on December 31, 1986.

SECTION 2. The initial appointments to the Commission shall be made by the respective appointing authorities within 30 days after the effective date of this Resolution. Thereafter, each appointing authority shall, on or before December 1st of each calendar year, appoint the persons who will fill its respective vacancies, if any. The person so appointed shall take office on January 1st of the following year. In the event that any of the political subdivisions enumerated in Section 1 of this Resolution fail to appoint its member or members to the Commission in a timely manner, the Board of Commissioners of Porter County may appoint such a member for said term, provided that said member shall meet the residency requirements set forth herein.

SECTION 3. In addition to those requirements to be found in the Indiana Code and those which the Commission imposes on itself, the following requirements and procedures shall be followed by the Commission:

- a. Commission meetings shall be held not less than monthly.
- b. The Commission shall conduct itself as a public body and shall observe the requirements of the Indiana Open Door Law. It shall post an agenda and maintain minutes of its meetings.
- c. Minutes of the meetings of the Commission shall be completed and distributed to its membership within 30 days of its last meeting and a copy thereof shall be delivered to the Board of Commissioners of Porter County.
- d. Each Commission member shall faithfully attend all Commission meetings. In the event that any Commission member is absent from three (3) consecutive Commission meetings, said member may be removed from the membership of said Commission by the Board of Commissioners of Porter County at their discretion.

SECTION 4. All funds received or expended by the Commission shall be transacted through the office of the Porter County Auditor in order to insure a proper audit for purposes of an accounting from time to time by the State Board of Accounts.

SECTION 5. The term of this Resolution is for three (3) years subsequent to its passage. At the expiration of said three (3) year term this Resolution shall automatically terminate and, unless readopted, said Commission shall also terminate.

Dated this 21<sup>st</sup> day of MAY, 1984.

THE BOARD OF COMMISSIONERS  
OF PORTER COUNTY.

By:

Michael J. Aylesworth  
Michael J. Aylesworth

William R. Carmichael  
Larry B. Sheets  
Larry B. Sheets

Attest:

Carolyn M. Lenburg  
Auditor, Porter County

ORDINANCE NO. 89- 1

AN ORDINANCE ESTABLISHING LOCAL COLLECTION  
OF PORTER COUNTY INNKEEPERS' TAX

WHEREAS, the Indiana General Assembly has amended I.C. 6-9-18-3 to provide that a County Council may adopt an Ordinance requiring that an innkeepers' tax be reported on forms approved by the County Treasurer and that the tax shall be paid monthly to the County Treasurer, and;

WHEREAS, the Porter County Convention, Recreation & Visitors Commission has advised the Porter County Council that it is the Commission's desire to have such an Ordinance implemented and that it believes the adoption of such an Ordinance will be of appreciable value to the Commission in its efforts at fulfillment of its statutory obligations, and;

WHEREAS, the Porter County Council is desirous of adopting such an Ordinance.

THEREFORE, BE IT ORDAINED by the Porter County Council as follows, to-wit:

SECTION I. Pursuant to the provisions of I.C. 6-9-18-3(d) (as amended), the Porter County Council does hereby ordain that the Porter County Innkeepers' Tax shall be reported on forms approved by the Porter County Treasurer and that the Porter County Innkeepers' Tax shall be paid monthly to the Porter County Treasurer. The Porter County Innkeepers' Tax shall be paid to the Porter County Treasurer not more than twenty (20) days after the end of the month in which the Innkeepers' tax is collected.

SECTION II. The Treasurer of Porter County is hereby authorized, instructed, and empowered to prepare the necessary documents, establish the necessary and appropriate procedures, and do any and all other things necessary to implement the establishment of procedure for local collection of the Porter County Innkeepers' Tax.



SECTION III. The effective date of this Ordinance shall be July 1, 1989.

ALL OF WHICH HAVING BEEN ORDAINED by the Porter County Council this 25th day of April, 1989.

AYES

NAYES

*[Handwritten signature]*

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*Ruth Ann McWhorter*

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*Donald L. Mulligan*

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*Richard A. Buel*

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*D.K. W.*

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*Michael J. Hylesworth*

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*Sony S. Janet*

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Attest:

*[Handwritten signature]*  
Jacquelyn Sterling  
County Auditor

RESOLUTION 94- 13

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS  
OF PORTER COUNTY, INDIANA, AMENDING  
ITS ORIGINAL AND SUBSEQUENT RESOLUTIONS CREATING  
A COMMISSION TO PROMOTE THE DEVELOPMENT AND  
GROWTH OF THE CONVENTION, RECREATION AND  
VISITOR INDUSTRY IN PORTER COUNTY  
PURSUANT TO I.C. 6-9-18-3

WHEREAS, the Porter County Board of Commissioners initially created the Porter County Convention, Recreation and Visitor Commission pursuant to I.C. 6-9-18-1 by way of Resolution 84-4 on May 21, 1984 and have subsequent thereto confirmed the Board of Commissioners commitment to the continuing operation and existence of the Porter County Convention, Recreation and Visitor Commission; and,

WHEREAS, the Porter County Board of Commissioners are desirous of making certain amendments to that original resolution so as to assure continuity and consistency in membership on the Commission by modifying the staggering of the terms of Commission members.

THEREFORE, BE IT AND IT IS HEREBY RESOLVED, that the Porter County Board of Commissioners do hereby amend the original resolution creating the Porter County Convention, Recreation and Visitor Commission and that any and all provisions of the original resolution found to be contrary or inconsistent to this amendment shall be considered to have been amended as follows:

Section 1: The membership on said Commission shall consist of nine (9) members, all of whom must reside in Porter County, Indiana. Each member shall be appointed to a two (2) year term on the Commission with each term commencing on January 1 and concluding on December 31 of the subsequent year. No more than a simple majority of members of the Commission may be affiliated with the same political party. The members of the Commission shall henceforth be appointed as follows:

(A) The Mayor of the City of Portage shall appoint two (2) members, each of whom shall be a resident of Portage Township. One of said appointees shall be actively engaged as an owner, operator or employee of a hotel, motel, inn or campground business operated in Portage Township. Said appointee shall represent the interests of the hospitality industry on the Commission. This Portage Commission appointee shall as of January 1,

1995 be appointed by the Mayor of Portage to a two (2) year term expiring on December 31, 1996, and thereafter shall be appointed to two (2) year terms. The second appointment of the Mayor of Portage pursuant hereto shall also be appointed to a two (2) year term commencing January 1, 1995 and concluding on December 31, 1996 and shall be appointed to two (2) year terms thereafter.

(B) The Mayor of the City of Valparaiso shall appoint one (1) member to the Commission who shall be a resident of Center Township. As of January 1, 1995, the Valparaiso appointee shall serve a one (1) year term concluding on December 31, 1995. Thereafter, the Valparaiso appointment shall serve two (2) year terms.

(C) The Town Boards of Chesterton, Porter and Burns Harbor, collectively, shall appoint one (1) member who shall be a resident of Westchester Township. Commencing on January 1, 1995, such member shall be appointed to two (2) year terms. In the event that a majority of two (2) of the three (3) above-named town boards cannot concur on the appointment by December 1, said appointment shall then be made by the Porter County Board of Commissioners.

(D) The Porter County Council shall appoint one (1) member. Henceforth, the Porter County Council appointment shall serve a one (1) year term commencing January 1, 1995 and concluding on December 31, 1995. Thereafter, the Porter County Council appointment shall serve two (2) year terms.

(E) The Towns of Kouts and Hebron, collectively, shall appoint one (1) member who shall be a resident of Boone, Pleasant, Porter or Morgan Townships. If the Towns of Kouts and Hebron cannot agree on an appointment by December 1, then said appointment shall be made by the Porter County Board of Commissioners. Upon the expiration of the current appointment on December 31, 1995, subsequent appointments shall be for a two (2) year term.

(F) Following all of the above enumerated appointments, the Board of County Commissioners shall make three (3) appointments to the Commission. Two of those appointments currently expire on December 31, 1994 and shall thereafter be appointed to two (2) year terms on the Commission. The third appointment of the Board of County Commissioners currently expires on December 31, 1995 and shall thereafter be appointed to two (2) year terms on the Commission.

Section 2. Each appointing authority shall, on or before December 1 of each calendar year, appoint the person who will fill its respective position on the Commission. The person so appointed shall take office on January 1 of the following year. In the event that any of the political subdivisions enumerated in Section 1 of this Resolution fail to appoint its member or members to

the Commission in a timely manner, the Porter County Board of Commissioners may appoint such a member for said term, provided that said member shall meet the residency requirements set forth herein.

Section 3. In addition to those requirements to be found in the Indiana Code and those which the Commission imposes on itself, the following requirements and procedures shall be followed by the Commission:

(A) The Commission meetings shall be held not less than monthly.

(B) The Commission shall conduct itself as a public body and shall observe the requirements of the Indiana Open Door Law. It shall post an agenda and maintain minutes of its meetings.

(C) Minutes of the meetings of the Commission shall be completed and distributed to its membership in a timely fashion and a copy of all minutes shall be delivered to the Porter County Board of Commissioners.

(D) Each Commission member shall faithfully attend all Commission meetings. In the event that any Commission member is absent from three (3) consecutive Commission meetings, said member may be removed from the membership of the Commission by the Porter County Board of Commissioners at its discretion.

Section 4. All monies coming into possession of the Commission shall be deposited, held, secured, invested and paid in accordance with Indiana statutes relating to the handling of public funds. The handling and expenditure of money coming into possession of the Commission shall be subject to audit and supervision by the State Board of Accounts pursuant to I.C. 6-9-18-7.

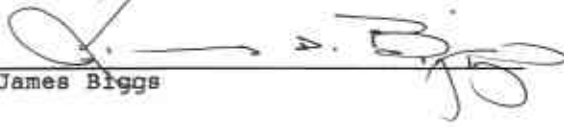
Section 5. The terms and provisions of this resolution shall remain in force and effect until subsequently amended by the Porter County Board of Commissioners.

ALL OF WHICH HAVING BEEN RESOLVED by the Porter County Board of Commissioners this 21st day of November, 1994.


PORTER COUNTY BOARD OF COMMISSIONERS

  
\_\_\_\_\_  
Brian E. Gesse

  
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Larry D. Sheets

  
\_\_\_\_\_  
James Biggs

ATTEST:

  
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Auditor, Porter County

RESOLUTION NO. 89-2

WHEREAS, the Porter County Board of Commissioners created a Convention, Recreation and Visitors Commission pursuant to the provisions of I.C. 6-9-18-5 on the 21st day of May, 1984, by way of County Commissioner Resolution 84-4; and

WHEREAS, the Porter County Council levied a three percent (3%) innkeeper's tax pursuant to the provisions of I.C. 6-9-18-3 on the 23rd day of April, 1985, by way of County Council Resolution 85-7; and

WHEREAS, the provisions of I.C. 6-9-18-3(c) allow the Innkeeper's tax to be levied at a rate not in excess of five percent (5%) on the gross retail income derived from lodging income only and in addition to the state gross retail tax imposed under I.C. 6-2.5; and

WHEREAS, it is the intent and desire of the Porter County Council to increase the aforementioned Innkeeper's tax levy from its current rate of three percent (3%) to the maximum statutorily allowed rate of five percent (5%).

THEREFORE, BE IT RESOLVED by the Porter County Council that the Porter County Innkeeper's Tax should be and the same is hereby increased to the rate of five percent (5%).

BE IT FURTHER RESOLVED by the Porter County Council that the aforementioned increase of the Innkeeper's tax levy to five percent (5%) shall take effect and be effective as of the first day of July, 1989.

BE IT FURTHER RESOLVED by the Porter County Council that except for the aforementioned change in the rate of levy of the Innkeeper's tax, all other provisions of Porter County Council Resolution 85-7 shall remain in force and effect as originally adopted by the Porter County Council on the 23rd day of April, 1985.

ALL OF WHICH HAVING BEEN RESOLVED by the Porter County Council this 23rd day of May, 1989.

AYES

NAYES

Donald Mulligan

Ruth Ann McWhorter

Larry S. Janett

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Richard A. Durham

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D.K. W.

\_\_\_\_\_

Albert J. Hughes

\_\_\_\_\_

Michael J. Hylton

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Attest:

Joseph M. Stork  
County Auditor

RESOLUTION NO. 85-7

WHEREAS, the provisions of I.C. 6-9-18-1 through 8 empower the Porter County Council to adopt an innkeeper's tax not to exceed the rate of five percent (5%) on the gross retail income derived from lodging income as such is limited and defined by the provisions of I.C. 6-9-18-3; and

WHEREAS, the monies generated by the aforementioned innkeeper's tax can be expended to promote and encourage conventions, trade shows, special events, recreation, and visitors, or industrial development, within Porter County pursuant to the provisions of I.C. 6-9-18-4; and

WHEREAS, the Porter County Commissioners have created a convention, recreation and visitor's commission pursuant to the provisions of I.C. 6-9-18-5; and

WHEREAS, it is the intent and desire of the Porter County Council to levy an innkeeper's tax pursuant to the aforementioned statute.

THEREFORE, BE IT RESOLVED by the Porter County Council that there should be and there is hereby levied a Porter County innkeeper's tax in the amount of three percent (3%) for the purpose of funding the activities of the convention, recreation, and visitor commission in the promoting of development and growth of the convention, recreation, and visitor industries in Porter County.

BE IT FURTHER RESOLVED by the Porter County Council that the three percent (3%) innkeeper's tax as levied and established by this Resolution shall be implemented as soon after the adoption of this Resolution as is possible.

BE IT FURTHER RESOLVED by the Porter County Council that the Porter County Treasurer is instructed to establish a convention, recreation, and visitor promotion fund for purposes of receipt of the monies collected pursuant to the levying of a three percent (3%) Porter County innkeeper's tax.

BE IT FURTHER RESOLVED by the Porter County Council that the monies collected by the adoption and levying of a three percent (3%) Porter County innkeeper's tax shall be used solely and exclusively by the convention, recreation and visitor commission for purposes of promoting the development and growth of the convention, recreation, and visitor industries in Porter County and that it is further the intent of the Porter County Council that none of the monies collected from the adoption of the three percent (3%) Porter County innkeeper's tax shall be currently used for industry development.

IT IS FURTHER RESOLVED by the Porter County Council that the Council's attorney shall immediately contact the Indiana State Department of Revenue and advise that state agency of the implementation of the Porter County innkeeper's tax and that he should further do all things necessary to comply with the request of the Indiana Department of Revenue for implementation of the innkeeper's tax.

IT IS FURTHER RESOLVED by the Porter County Council that any and all expenditures of monies collected as the result of the levying of the Porter County innkeeper's tax shall be made and done by the convention, recreation, and visitor commission in a manner and fashion required by law and that specifically the commission shall comply with the provisions of I.C. 6-9-18-6 regarding the expenditure of funds by the commission and the commission submission of an annual budget to the County Council as required by law.

ALL OF WHICH HAVING BEEN RESOLVED by the Porter County Council this 23rd day of April, 1985.

AYES

[Signature]  
[Signature]  
[Signature]  
[Signature]  
[Signature]

NAYES

[Signature]

Attest:

[Signature]  
Dorothy Lenburg  
County Auditor



RESOLUTION NO. 85- 12

WHEREAS, the Porter County Council implemented a three percent (3%) innkeeper's tax pursuant to Resolution 85-7 on the 23rd day of April, 1985; and

WHEREAS, the effective date of the levying of the aforementioned innkeeper's tax was June 1, 1985; and

WHEREAS, the Porter County Auditor has now advised the Porter County Council that the first monies collected in connection with the aforementioned innkeeper's tax have now been transmitted by the Indiana Department of Revenue and have been deposited by the Porter County Treasurer in the Porter County Convention, Recreation, and Visitor Promotion Fund; and

WHEREAS, I.C. 6-9-18-4(b) provides that the Porter County Auditor shall issue a warrant directing the Porter County Treasurer to transfer money from the Convention, Recreation, and Visitor Promotion Fund to the Treasurer of the Porter County Convention, Recreation and Visitor Commission upon the Commission's submission of a written request for said transfer; and

WHEREAS, the Porter County Auditor is desirous of the Porter County Council acquiescence in the aforementioned statutory procedure and the Porter County Council is desirous of so acquiescing to the extent that the transfer should be limited to the extent that monies are actually available and present in the fund and should further be limited by the annual budgets submitted by the Commission and approved by the Porter County Council in that the County Auditor should not issue a warrant in an amount that would result in transfers during any budgetary period which would exceed the amount of the budget submitted by the Commission and approved by the Porter County Council.

NOW, THEREFORE, BE IT RESOLVED by the Porter County Council as follows:

1) That the Porter County Council acquiesces and approves of the Porter County Auditor's compliance with the provisions of I.C. 6-9-18-4(b) in that the Porter County Auditor shall issue a warrant directing the Porter County Treasurer to transfer monies from the Convention, Recreation, and Visitor Promotion Fund to the Treasurer of the Porter County Convention, Recreation, and Visitor Commission upon receipt of written request for such transfer all of which to be done in compliance with the aforementioned statutory provision.

2) That said transfers are to be limited to the extent that the Porter County Auditor shall not issue a warrant for transfer of funds which would exceed

the amount of money actually contained in the aforementioned fund and furthermore shall not issue a warrant for transfer of money from the fund if such transfer when added to previous transfers during a budgetary period would result in total transfers during that budgetary period exceeding the total appropriations approved in the budget submitted by the Commission and approved by the Porter County Council for any budgetary period.

ALL OF WHICH HAVING BEEN RESOLVED AND ADOPTED by the Porter County Council this 24th day of September, 1985.

YEH

NAY

<u>Larry S. Janett</u>	_____
<u>Robert J. Higgins</u>	_____
<u>Charles J. Quinn</u>	_____
<u>Thomas A. ...</u>	_____
<u>Jack R. ...</u>	_____
<u>Ruth Ann McWhorter</u>	_____
_____	_____

Attest:

Dorothy Lenburg  
Dorothy Lenburg

EXCERPT FROM MINUTES OF A MEETING  
OF THE PORTER COUNTY COUNCIL

A duly called meeting of the Porter County Council was held in Room 205, Porter County Courthouse, Valparaiso, Indiana, on April 23, 1985, at the hour of 7:30 p.m.

The meeting was called to order by Christian Anderson, President of the Porter County Council, and the minutes of the meeting were recorded by Rebecca Brazys, Secretary, Porter County Council.

On call of the roll, the members of the Council were shown to be present or absent as follows:

Present: Christian Anderson  
Larry Jarrett  
Karen Hughes  
John Lundahl  
Ruth Ann McWhorter  
Jack Clem  
Thomas Keene

Absent: None

(Among other proceedings had and actions taken were the following:) The President of the County Council reviewed the fact that the Council had a public input hearing on adoption of a proposed innkeeper's tax on Wednesday, April 17, 1985 and that all interested parties had been given an opportunity to present to the Council the arguments for and against adoption of the tax. The Council's attorney reviewed the status of the law and the options available to the Council in connection with adoption of the innkeeper's tax.

After an additional brief period of public input, on motion duly made, seconded, and adopted by a six to one vote, the following Resolution was adopted.

RESOLUTION NO. 7

WHEREAS, the provisions of I.C. 6-9-8-1 through 8 empower the Porter County Council to adopt an innkeeper's tax not to exceed the rate of five percent (5%) on the gross retail income derived from lodging income as such is limited and defined by the provisions of I.C. 6-9-18-3; and

WHEREAS, the monies generated by the aforementioned innkeeper's tax can be expended to promote and encourage conventions, trade shows, special events, recreation, and visitors, or industrial development,

within Porter County pursuant to the provisions of I.C. 6-9-18-4; and

WHEREAS, the Porter County Commissioners have created a convention, recreation and visitor's commission pursuant to the provisions of I.C. 6-9-18-5; and

WHEREAS, it is the intent and desire of the Porter County Council to levy an innkeeper's tax pursuant to the aforementioned statute.

THEREFORE, BE IT RESOLVED by the Porter County Council that there should be and there is hereby levied a Porter County innkeeper's tax in the amount of three percent (3%) for the purpose of funding the activities of the convention, recreation, and visitor commission in the promoting of development and growth of the convention, recreation, and visitor industries in Porter County.

BE IT FURTHER RESOLVED by the Porter County Council that the three percent (3%) innkeeper's tax as levied and established by this Resolution shall be implemented as soon after the adoption of this Resolution as is possible.

BE IT FURTHER RESOLVED by the Porter County Council that the Porter County Treasurer is instructed to establish a convention, recreation, and visitor promotion fund for purposes of receipt of the monies collected pursuant to the levying of a three percent (3%) Porter County innkeeper's tax.

BE IT FURTHER RESOLVED by the Porter County Council that the monies collected by the adoption and levying of a three percent (3%) Porter County innkeeper's tax shall be used solely and exclusively by the convention, recreation and visitor commission for purposes of promoting the development and growth of the convention, recreation, and visitor industries in Porter County and that it is further the intent of the Porter County Council that none of the monies collected from the adoption of the three percent (3%) Porter County innkeeper's tax shall be currently used for industry development.

IT IS FURTHER RESOLVED by the Porter County Council that the Council's attorney shall immediately contact the Indiana State Department of Revenue and advise that state agency of the implementation of the Porter County innkeeper's tax and that he should further do all things necessary to comply with the request of the Indiana Department of Revenue for implementation of the innkeeper's tax.

IT IS FURTHER RESOLVED by the Porter County Council that any and all expenditures of monies collected as the result of the levying of the Porter County innkeeper's tax shall be made and done by the convention, recreation, and visitor commission in a manner and fashion required by law and that specifically the commission shall comply with the provisions of I.C. 6-9-18-6 regarding the expenditure of funds by the commission and the commission submission of an annual budget to the County Council as required by law.

ALL OF WHICH HAVING BEEN RESOLVED by the Porter County Council this 23rd day of April, 1984.


VOTING FOR THE RESOLUTION

Christian Anderson  
Larry Jarrett  
Karen Hughes  
Ruth Ann McWhorter  
Jack Clem  
Thomas Keene

VOTING AGAINST THE RESOLUTION

John Lundahl

There being no further business to come before the meeting,  
on motion duly made, seconded and unanimously carried, the meet-  
ing thereupon adjourned.

  
Rebecca Brazys  
Secretary, Porter County Council

ATTEST:

  
Dorothy Lenburg  
County Auditor

I, Dorothy Lenburg, the duly elected Auditor of Porter  
County, do hereby certify that the excerpted minutes of the April  
23, 1985 meeting of the Porter County Council accurately and cor-  
rectly contain the Resolution adopted by the Porter County  
Council wherein they levied a Porter County innkeeper's tax.

  
Dorothy Lenburg  
County Auditor

RESOLUTION NO. 8

WHEREAS, the Porter County Council adopted Resolution No. 85-7 on the 23rd day of April, 1985 establishing a three percent Porter County innkeeper's tax; and

WHEREAS, pursuant to said Resolution, the Indiana State Department of Revenue was advised of the adoption of same and request to implement the innkeeper's tax as expeditiously as was consistent with its procedure; and

WHEREAS, representatives of the Indiana State Department of Revenue have contacted the Porter County Council and have advised that the implementation date for the Porter County innkeeper's tax should be June 1, 1985 and that the Indiana State Department of Revenue is desirous of the Porter County Council adopting an amendatory ordinance establishing its intent to implement the Porter County innkeeper's tax as of June 1, 1985; and

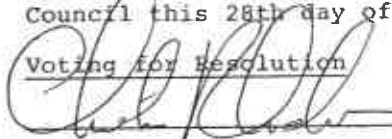
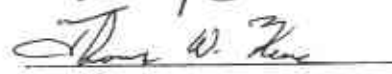


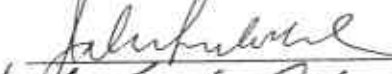


WHEREAS, it is the desire and intent of the Porter County Council to implement the three percent innkeeper's tax as of June 1, 1985.

THEREFORE, BE IT RESOLVED by the Porter County Council that the Indiana State Department of Revenue implement the collection of the three percent Porter County innkeeper's tax on and after June 1, 1985.

ALL OF WHICH BEING RESOLVED by the Porter County Council this 28th day of May, 1985.

Voting for Resolution

Voting Against Resolution

	_____
	_____
	_____
	_____
	_____
	_____
	_____

Attest:

  
Dorothy Lenburg  
County Auditor

RULES OF THE PORTER COUNTY CONVENTION,  
RECREATION AND VISITOR COMMISSION

Article I - Authority.

These rules are adopted by the Porter County Convention, Recreation and Visitor Commission ("Commission") pursuant to the authority contained in I.C. 6-9-18-6 (a) (4). The purpose of these rules is to provide for the conduct of the business of the Commission and the accomplishment of the purposes of the Commission.

Article II - Purpose of Commission.

The purpose of the Commission shall be to develop and maintain a climate to attract conventions and visitors into Porter County and to promote park and recreational facilities in Porter County.

Article III - Membership.

Section 1 The membership of the Commission shall consist of a total of nine members appointed in accordance with the resolution of the Porter County Commissioners creating this Commission.

Section 2 All terms of office of Commission members shall begin on January 1. Initial appointments shall be for staggered terms with all subsequent appointments for two year terms.

Section 3 A member of the Commission whose term expires may be re-appointed to serve another term.

Section 4 If a vacancy occurs, the Commission shall notify the appointing authority that had appointed such individual whose office is vacant and the appointing authority shall appoint a qualified person to serve for the remainder of the term.

Section 5 If an initial appointment is not made by the appointing authority by February 1 of any calendar year or if a vacancy is not filled within thirty (30) days after the Commission shall have notified the appointing authority of the existence of the vacancy, the Commission shall within thirty (30) days thereafter appoint a member to fill the remainder of such term. Such appointment shall be by a majority vote of all the members of the Commission.

Section 6 A member of the Commission may be removed for cause by the appointing authority.

Section 7 Each Commission member, before entering upon his duties, shall take an oath of office to be endorsed upon his certificate of appointment and fill with the Clerk of the Circuit Court of Porter County.

Section 8

A member of the Commission may not receive a salary. However, Commission members are entitled to reimbursement for necessary expenses incurred in the performance of their respective duties.

Article IV - Organization Meeting.

Ten days after the initial appointment of the Commission, the Commissioners shall meet for the purpose of organization. Therefore, the Commission shall meet on or before January 10 of each calendar year for the purpose of organization. At such organization meeting, the Commission shall elect one of its members President, another Vice President, another Secretary, and another Treasurer. The officers chosen shall serve from the date of their election until their successors are elected and qualified or until the expiration of the term of the officer as a member of the Commission.

Article V - Duties of Officers.

Section 1

President - The President shall preside at all meetings of the Commission, both regularly scheduled or special. He shall be a member ex-officio, with right to vote, of all committees. He shall communicate to the Commission such matters and make such suggestions as may in his opinion tend to promote the prosperity and welfare and to increase the usefulness of the Commission. He shall appoint all committees. He shall be a full voting member at each and every meeting, regularly scheduled or special, of the Commission and shall perform such other duties as are necessarily incident to the office of President.

Section 2

Vice President - The Vice President shall serve as President in the case of the death or absence of the President, or of his inability to act for any reason.

Section 3

Secretary - It shall be the duty of the Secretary to give notice of and attend all meetings of the Commissioners and keep a record of their doings; to carry into execution all orders, vote and resolutions not otherwise committed; to keep a list of the members of the Commissioners, to notify officers of the Commission of their election; to notify members of their appointment on committees; and generally to devote his best efforts to forwarding the business and advancing the interests of the Commission. In the case of the absence or disability of the Secretary for any reason, the President, or, in his absence, the Vice President, may appoint a Secretary pro tem. The Secretary shall be the keeper of the By-Laws of the Commissioners of the Commission.

Section 4

Treasurer - The Treasurer shall keep an account of all moneys received or expended by the Commission or by the Treasurer of Porter County for the use of