# RESOLUTION NO. 2010-_11_

A Resolution of the
County Council of Vermillion County, Indiana,
Imposing a Fee
to Property Owners Receiving a Real or Personal Property Tax Deduction
under I.C. 6-1.1-12.1-3, 4.5, or 4.8

WHEREAS, under the provisions of I.C 6-1.1-12.1-14 the County Council of Vermillion County, Indiana, is empowered to impose a fee on property owners for deductions obtained under I.C. 6-1.1-12.1-3, 4.5, or 4.8; and

WHEREAS, the imposition of this fee would be beneficial to Vermillion County, Indiana, and still provide the property owner with a deduction; and

NOW, THEREFORE, IT IS FOUND, DETERMINED AND RESOLVED by the County Council of Vermillion County, Indiana, that:

1. The County Council of Vermillion County, Indiana, in accord with the provisions of I.C. 6-1.1-12.1-14 hereby adopts an Abatement Fee for all property owners who receive an abatement pursuant to the provisions of I.C. 6-1.1-12.1-3, 4.5, or 4.8 as provided below.

2. During each year in which a property owner's property tax liability is reduced by a deduction applied under I.C. 6-1.1-12.1, the property owner shall pay to the county treasurer a fee (the "Abatement Fee") in an amount determined by the county auditor. The county auditor shall determine the amount of the fee to be paid by the property owner according to the following formula:

> STEP ONE: Determine the additional amount of property taxes that would have been paid by the property owner during the year if the deduction had not been in effect.
>
> STEP TWO: Multiply the amount determined under STEP ONE by 5%.
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> STEP THREE: Determine the lesser of the STEP TWO product or one hundred thousand dollars ($100,000).

3. The County Council of Vermillion County, Indiana, incorporates herein the provisions of I.C. 6-1.1-12.1-14 and declares that the percentage to be applied by the County Auditor for purposes of STEP TWO above and STEP TWO of I.C. 6-1.1-12.1-14(c) is 5%.

4. Any property owner seeking an abatement pursuant to I.C. 6-1.1-12.1-3, 4.5, or 4.8 shall execute a consent to the Abatement Fee and acknowledgement that if the County Council of Vermillion County, Indiana determines that a property owner has not paid an Abatement Fee in accord with this Resolution the County Council may adopt a resolution terminating the property owner's deduction under I.C. 6-1.1-12.1-3, 4.5, or 4.8. If the County Council adopts such a resolution, the deduction shall not apply to the next installment of property taxes owed by the property owner or to any subsequent installment of property taxes.

5. The County Auditor and the County Treasurer are hereby notified that all Abatement Fees collected are to be distributed to the Vermillion County Economic Development Commission until further notice from the County Council.

6. The imposition of the Abatement Fee is in addition to and separate and apart from the abatement application filing fee imposed by the County Council.

Passed in Open Council this 8 day of NOV, 2010.

VERMILLION COUNTY COUNCIL

John Cheesewright, President

Lavonna Mattick

Randy Dreher

Lary Langley

Mike Carty

Mike Costello

Randy Padish

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11/9/2010