

COPY

ORDINANCE 2017-33

**AN ORDINANCE ESTABLISHING THE
WARRICK COUNTY TOURISM COMMISSION**

WHEREAS, the Warrick County Council has levied a Uniform County Innkeeper's Tax in Warrick County (hereinafter, "County") pursuant to Indiana Code § 6-9-18-3 and effective January 1, 2018; and

WHEREAS, Indiana Code § 6-9-18-5 provides that the County Executive shall create a commission to promote the development and growth of the convention, visitor, and tourism industry in the County where a Uniform County Innkeeper's Tax is levied by the County Council pursuant to Indiana Code § 6-9-18-3; and

WHEREAS, the County desires to establish such a commission to promote the development and growth of the convention, visitor, recreation and tourism industry in the County; and

WHEREAS, the Board of Commissioners of Warrick County have determined the establishment of such a commission is in the best interest of the County and its citizens and taxpayers.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF WARRICK COUNTY, INDIANA THAT:

The Code of Ordinances of Warrick County, Indiana, is hereby amended to include a new Section 33.90 entitled "Warrick County Tourism Commission" as follows:

33.90 *Establishment of Warrick County Tourism Commission.* There is hereby established a Warrick County Tourism Commission (hereinafter, the "Commission") to promote, assist and encourage the development and growth of the convention, visitor, recreation and tourism industries in Warrick County, Indiana.

33.91 *Nomination of Commission Members.* The Commission shall consist of nine (9) members who shall be nominated as follows:

- (A) Four (4) members shall be nominated by the Board of Commissioners of Warrick County, with no more than three (3) members affiliated with the same political party;
- (B) Three (3) members shall be nominated by the Warrick County Council, with no more than two (2) nominations affiliated with the same political party;
- (C) One (1) member shall be nominated by the Mayor of the City of Boonville, as provided by Indiana Code § 6-9-18-5; and

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- (D) One (1) member shall be nominated by the President of the Town Council of the Town of Newburgh; and

All nominations to the Commission shall be submitted to the Board of Commissioners by January 1st of each year, and are subject to the approval of the Board of Commissioners who shall appoint those nominated to serve after verifying membership criteria and eligibility as provided below in Section 33.92. The Board of Commissioners shall take all efforts to appoint Commission members to insure the membership will best serve the tourism interest of Warrick County.

33.92 *Commission Membership.* The Board of Commissioners shall appoint the members of the Commission based upon the nominations submitted and applying the following guidelines no later than January 15th of each year:

- (A) At least five (5) of the members must be engaged in convention, visitor, recreation or tourism businesses or involved in promoting conventions, visitors, recreation or tourism events within Warrick County, including representatives of non-profits that regularly sponsor and promote events that are likely to generate tourism to Warrick County.
- (B) At least two (2) of the members of the Commission must be engaged in the business of renting or furnishing rooms, lodging, or accommodations as described in Indiana Code § 6-9-18-3 within Warrick County.
- (C) No more than one (1) representative of the same business entity or commercial enterprise shall be on the Commission at any time. This provision does not apply to non-profit and charitable organizations.
- (D) No more than five (5) of the members of the Commission may be affiliated with the same political party.
- (E) Each Commission member must reside in Warrick County.
- (F) There shall be no limits on the number of Commission members who are residents of any particular township of Warrick County.

The Board of Commissioners may reject a nomination to the Commission if the nomination would prevent the Commission membership from complying with the above rules. In that event, the Board of Commissioners may either request the nominating body to nominate an alternative individual for consideration or appoint an alternative member that will comply with the above rules.

33.93 *Terms of Office of Commission Members.* The Board of Commissioners, upon appointing the original Commission members shall assign an initial term of two (2) years to five (5) members, and an initial term of one (1) year to four (4) members. Upon the initial terms expiring and thereafter, the term of office for each member of the Commission shall be two (2) years. Members may serve on no more than four (4) consecutive terms at a time. If a vacancy occurs,

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the Board of Commissioners shall appoint a qualified person to serve for the remainder of the term. If an appointment is not made by February 1 of any year or a vacancy is not filled within thirty (30) days, the Commission shall appoint a member by majority vote subject to the approval of the Board of Commissioners.

33.94 *Removal of Commission Members for Cause.* A member of the Commission may be removed for cause by the Board of Commissioners of Warrick County.

33.95 *Reimbursement of Commission Members.* Commission members shall not receive a salary. However, Commission members are entitled to reimbursement for necessary expenses incurred in the performance of their respective duties as may be determined by the Commission.

33.96 *Powers of Commission.* The powers of the Commission are those set out in Indiana Code § 6-9-18-6, which include the authority:

- 33.96.01 To accept and use gifts, grants, tax revenues and other contributions from any public or private source, under terms and conditions that the Commission considers necessary and desirable;
- 33.96.01 To sue and be sued;
- 33.96.02 To enter into contracts and agreements, including:
 - a. The hiring of legal counsel, financial accounting services, marketing and promotion services, and/or other professional advisors; and
 - b. The ability to contract with the Warrick County Chamber of Commerce for the hiring of staff, including a part-time Executive Director of the Commission;
- 33.96.03 To make rules necessary for the conduct of its business and the accomplishment of its purposes;
- 33.96.04 To receive and approve, alter, or reject requests and proposals for funding by qualified organizations described under subdivision (6);
- 33.96.05 To transfer money, after approval of a request or proposal from a qualified organization, from time to time from the Warrick County Convention, Visitors and Tourism Fund (Fund 7304—Innkeeper's Tax Collection), or from money transferred from that Fund to the Commission's treasurer, to any Indiana not-for-profit corporation to promote and encourage conventions, visitors, recreation or tourism events in the County; and
- 33.96.06 To require financial or other reports from any party or entity that receives funds from the Commission.

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33.97 *Oath of Commission Members.* Each Commission member, before entering his or her duties, shall take an oath of office in the usual form, to be endorsed upon his certificate of appointment and promptly filed with the Clerk of the Warrick County Circuit Court.

33.98 *Annual Organizational Meetings of Commission.* The Commission shall meet within ninety (90) days of January 1, 2018 for purposes of organization and shall further meet after January 1 each year thereafter for its annual meeting. The Commission shall elect one (1) of its members president, another vice president, another secretary, and another treasurer. The members elected to those offices shall perform the duties pertaining to the offices. The first officers chosen shall serve from the date of their election until their successors are elected and qualified. A majority of the Commission constitutes a quorum, and the concurrence of a majority of the Commission is necessary to authorize any action.

33.99 *Purposes of the Commission.* The purpose of the Commission shall be to promote, assist and encourage the development and growth of the convention, visitor, recreation, and tourism industry in Warrick County, in accordance with Indiana Code § 6-9-18-5.


33.100 *Awarding of Grants.* Each year, the Commission shall set aside a certain sum, determined by the Commission, to be granted to not-for-profit organizations for the creation, development, and/or publication of brochures, pamphlets, graphic artwork, websites, and/or other materials that help not-for-profit organizations promote their events and operations and thereby encourage visitors and tourists to visit the County.

33.101 *Quarterly Report to the Commissioners and Budget.* The Commission shall prepare and deliver a report, no less frequently than quarterly, to the Board of Commissioners of Warrick County as to the status of the development and growth of the convention, visitor, recreation, and tourism industries in the County. The Commission shall also prepare an annual budget proposal for review and approval by the County Council.

Passed and adopted by the Board of Commissioners of Warrick County, Indiana, this 11th day of December, 2017.

WARRICK COUNTY
BOARD OF COMMISSIONERS



Marlin Weisheit, President


Dan Saylor, Vice President


Robert H. Johnson, Jr., Member

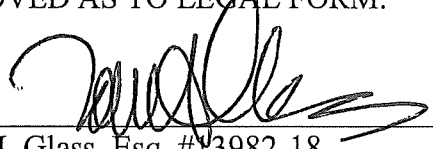
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ATTEST:



Deborah K. Stevens, Auditor
Warrick County, Indiana

APPROVED AS TO LEGAL FORM:



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