

**HENDRICKS COUNTY COMMISSIONERS  
AMENDMENT OF PRIOR REGARDING  
MEMBERSHIP OF HENDRICKS COUNTY TOURISM COMMISSION  
NO. 2020- 49**

WHEREAS, it has been the policy and expressed desire of Hendricks County, State of Indiana, to promote and encourage development and tourism within Hendricks County and the respective municipalities located therein; and

WHEREAS, in 1998, pursuant to IND. CODE 6-9-18-5, the Hendricks County Commissioners established the Hendricks County Tourism Commission (hereinafter “the Commission”) setting and appointing seven (7) members to that Commission; and

WHEREAS, the Hendricks County Council, by Ordinance No. 38-1997 dated 7 October 1997, established and levied the Hendricks County Innkeeper’s Tax (“Innkeeper’s Tax”) as allowed by then IND. CODE 6-9-18 et seq.; and

WHEREAS, the General Assembly of the State of Indiana enacted IND. CODE 6-9-37 et seq., effective 1 July 2005, enabling Hendricks County, by and through its County Council, to increase its Innkeeper's Tax and levy an Innkeeper's Tax at a rate not to exceed eight percent (8%); and

WHEREAS, upon the adoption of the increased Innkeepers Tax to eight percent (8%) the Hendricks County Tourism Commission was increased to nine (9) members; and

WHEREAS, regarding the membership of the Commission, IND. CODE 6-9-37-5 specifically provides that:

(a) The Hendricks County Commissioners shall create the Commission to promote the development and growth of the convention, visitor, and tourism industry in the county.

(b) The Hendricks County Commissioners shall determine the number of members, which must be an odd number, to be appointed to the Commission. A simple majority of the members must be:

(1) engaged in a convention, visitor, or tourism business; or

(2) involved in or promoting conventions, visitors, or tourism.

If available and willing to serve, at least two (2) of the members must be engaged in the business of renting or furnishing rooms, lodging, or accommodations (as described in IND. CODE 6-9-37-3). Not more than one (1) member may be affiliated with the same business

entity. Each member must reside in Hendricks County. The Hendricks County Commissioners shall also determine who will make the appointments to the Commission, except that the executive of the largest municipality in Hendricks County shall appoint a number of the members of the Commission, which number shall be in the same ratio to the total size of the Commission (rounded off to the nearest whole number) that the population of the largest municipality bears to the total population of Hendricks County.

(c) If a municipality other than the largest municipality in Hendricks County collects fifty percent (50%) or more of the Innkeeper's Tax revenue collected under this chapter during the three (3) month period following imposition of the tax, the executive of the municipality shall appoint the same number of members to the Commission that the executive of the largest municipality in the county appoints under subsection (b).

(d) Except as provided in subsection (c), all terms of office of Commission members begin on January 1. Initial appointments must be for staggered terms, with subsequent appointments for two (2) year terms. A member whose term expires may be reappointed to serve another term. If a vacancy occurs, the appointing authority shall appoint a qualified person to serve for the remainder of the term. If an initial appointment is not made by February 1 or a vacancy is not filled within thirty (30) days, the Commission shall appoint a member by majority vote.

WHEREAS, it is now in the best interest of the County and the Commission to return the number of Commission members from nine (9) to seven (7); and

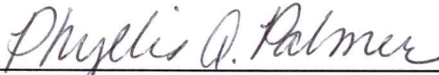
WHEREAS, based upon the current census data for Hendricks County, and as applied to IND. CODE 6-9-37-5, with a seven (7) member Commission, the Hendricks County Commissioners must appoint six (6) of the members of the Commission; and

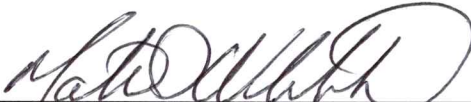
NOW, THEREFORE, BE IT ORDAINED by the Hendricks County Commissioners, effective on or before January 1, 2021, that prior Ordinances and actions regarding membership of the Commission be amended in their entirety and superseded by this Ordinance, subject to IND. CODE 6-9-37-5, as follows:

1. The membership of the Commission is hereby established at seven (7) members.
2. That by the effective date listed above, the Commission membership shall comply with IND. CODE 6-9-37-5, and that the Hendricks County Commissioners shall make the appointments for six (6) members.

ADOPTED by the Hendricks County Commissioners of Hendricks County, Indiana  
this 8th day of December, 2020.

**HENDRICKS COUNTY BOARD OF COMMISSIONERS**

  
\_\_\_\_\_  
Phyllis A. Palmer, President

  
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Matthew D. Whetstone, Vice President

  
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Bob Gentry, Member

**ATTEST:**

  
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Nancy Marsh, Auditor