

ORDINANCE 2009 - 05

ORDINANCE DETERMINING THAT CAROL MCDANIEL HAS FAILED TO ADEQUATELY PERFORM HER DUTIES AS LAPORTE COUNTY ASSESSOR AND FURTHER DETERMINING THAT CAROL MCDANIEL FORFEITS THE OFFICE OF LAPORTE COUNTY ASSESSOR

WHEREAS, in accordance with I.C. § 6-1.1-4-31(f), Mark Yagelski, in his capacity as President of the County Council of LaPorte County ("County Council"), has represented to and informed the Board of Commissioners of LaPorte County ("Board of Commissioners") that he was informed by the Indiana Department of Local Government and Finance ("DLGF") in writing on or about the 10th day of August, 2009, that after the DLGF's review of assessment work in LaPorte County, pursuant to I.C. § 6-1.1-4-31(a), the DLGF determined that the assessment work of the LaPorte County Assessor, Carol McDaniel, is not being properly conducted; and

WHEREAS, upon receipt of such information from the County Council President, the Board of Commissioners may adopt an ordinance to determine that the information received indicates that the LaPorte County Assessor, Carol McDaniel, has failed to perform adequately the duties of County Assessor and/or further determine that by that failure Carol McDaniel forfeits the office of County Assessor and is subject to removal from office by an information filed under I.C. § 34-17-2-1(b), all as provided for under I.C. § 6-1.1-4-31(f)(1),

NOW, THEREFORE, be it ordained by the Board of Commissioners of LaPorte County that:

1. The Board of Commissioners has determined that the information provided by the County Council President indicates that the LaPorte County Assessor, Carol McDaniel, has failed to perform adequately the duties of County Assessor.
2. The Board of Commissioners has further determined that by the failure of the LaPorte County Assessor, Carol McDaniel, to perform adequately the duties of County Assessor Carol McDaniel forfeits the office of County Assessor and is subject to removal from office by an information filed under I.C. § 34-17-2-1(b).
3. The Board of Commissioners refers this matter to the LaPorte County Prosecutor for the filing of an information under I.C. § 34-17-2-1(b).
4. This Ordinance shall take effect upon its passage, posting and publication as prescribed by law.

ADOPTED as of this 15th day of September, 2009.

BARBARA HUSTON, President


MIKE BOHACEK, Vice President


KEN LAYTON, Member

ATTEST: 
CRAIG HINCHMAN, Auditor