

STATE OF INDIANA

BEFORE THE BOARD OF CLARK COUNTY COMMISSIONERS

ORDINANCE NO. 2-2010

**AN ORDINANCE ESTABLISHING A NON-REVERTING FUND FOR THE REIMBURSEMENTS FROM THE STATE OF INDIANA TO THE OFFICE OF THE CLARK COUNTY PUBLIC DEFENDER**

WHEREAS, this Board of Commissioners of Clark County, Indiana (this "Board"), is the executive body of Clark County government pursuant to the provisions of IC 36-1-2-9; and,

WHEREAS, this Board is also the legislative body of Clark County Government pursuant to the provisions of IC 36-1-2-9; and,

WHEREAS, pursuant to the Home Rule provisions of IC 36-1-3, *et seq.*, this Board has authority to exercise all the powers needed for the effective operation of government as to local affairs, subject only to the limitations contained within such statutes; and,

WHEREAS, this Board has identified the need to establish a fund into which reimbursements from the State of Indiana (the "State") are made to the Office of the Clark County Public Defender (the "Public Defender") in order to maintain the efficient and effective operation of the Public Defender.

**NOW, THEREFORE, BE IT ORDAINED** by this Board of Clark County Commissioners as follows:

1. Establishment of Public Defender Non-Reverting Fund. *The Clark County Public Defender Non-Reverting Fund* (the "Public Defender Fund") is hereby established as a non-reverting fund to be administered and maintained by the Clark County Auditor.

2. Deposits into the Public Defender Fund. All funds received as reimbursements sought by the Public Defender from the State, and all funds disbursed by the State as reimbursements on account of the operation of the Public Defender, shall be deposited into the Public Defender Fund.

3. Purposes of Permitted Expenditures from the Public Defender Fund. The Public Defender shall be entitled to make expenditures from the Public Defender Fund for the following purposes:

a. For operating expenses, including supplies, the payment of salaries to deputy public defenders;

b. For the payment of salaries and benefits to full-time or part-time staff; or,

c. For such other expenses pertaining to the operations of the Public Defender office, or for the provision of professional services, as the Public Defender may determine to be appropriate and necessary for the efficient operation of the Public Defender office in his sole discretion.

4. No County warrants are authorized to be issued for expenditures from the Public Defender Fund for payment of any monies except upon approval of a claim by the Public Defender and in accordance with the terms of this Ordinance.

5. The Public Defender Fund shall be perpetual unless and until terminated by subsequent ordinance enacted by this Board.

6. The Clark County Auditor is hereby directed to maintain and manage accurate accounting information regarding the receipts, expenditures, and balances of the Public Defender Fund.

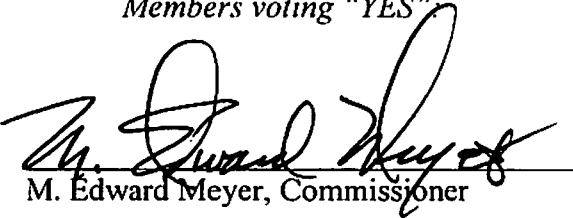
7. This Ordinance shall be in full force and effect upon its passage and promulgation as evidenced by the affirmative signatures of the undersigned as the majority of the duly elected and serving members of this Board.

So Ordained this 7<sup>th</sup> day of January, 2010.

*Members voting "NO":*

*Members voting "YES":*

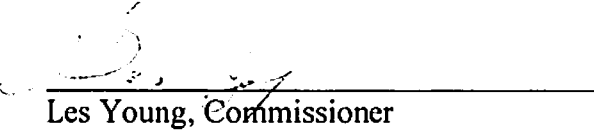
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M. Edward Meyer, Commissioner

  
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M. Edward Meyer, Commissioner

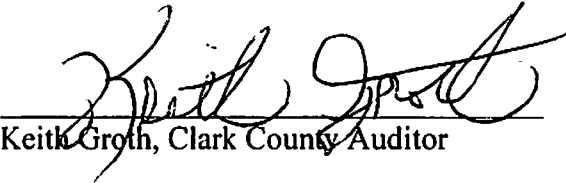
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Mike Moore, Commissioner

  
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Mike Moore, Commissioner

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Les Young, Commissioner

  
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Les Young, Commissioner

*Attested by:*

  
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Keith Groth, Clark County Auditor