

STATE OF INDIANA
BEFORE THE BOARD OF CLARK COUNTY COMMISSIONERS

ORDINANCE NO. 5-2011

**AN ORDINANCE ESTABLISHING A NON-REVERTING FUND FOR
THE DEPOSIT OF FUNDS AND DISBURSEMENT OF COSTS RELATED
TO THE CLARK – FLOYD LANDFILL EXPANSION PROJECT**

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 non-reverting fund into which funds can be receipted (including without limitation, BAN and Bond proceeds) and costs disbursed for previously approved and authorized Clark – Floyd Landfill Expansion Project (the “Landfill Expansion Project”); and,

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

1. Establishment of Landfill Expansion Project Non-Reverting Fund. The *Landfill Expansion Project Non-Reverting Fund* (the “Fund”) is hereby established as a non-reverting fund to be administered and maintained by the Clark County Auditor. The Fund shall be perpetual unless and until terminated by subsequent ordinance enacted by this Board. The Clark

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

2. Deposits into the Fund. All proceeds from bond anticipation notes (BANs) or revenue bonds, as further authorized and appropriated by the Clark County Council, and any additional funds identified by subsequent official action of this Board, shall be deposited into the Fund.

3. Purposes of Permitted Expenditures from the Fund. This Board shall be entitled to authorize and make expenditures from the Fund as deemed necessary to satisfy the costs of design, permitting, construction, or other costs related to the Landfill Expansion Project. No County warrants are authorized to be issued for expenditures from the Fund for payment of any monies except upon approval of a claim by this Board and in accordance with the terms of this Ordinance. Nothing in this Ordinance is intended to alter any legal requirement for appropriation of funds by the County Council.

4. Effective Date of Ordinance. 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.

[Signature Page Follows]

So Ordained this 3rd day of March, 2011.

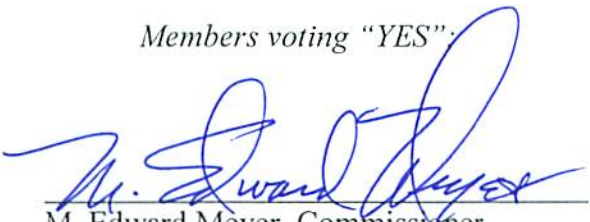
Members voting "NO":

M. Edward Meyer, Commissioner

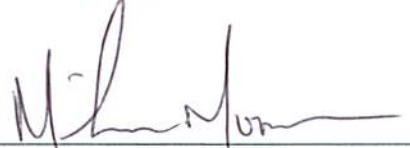
Mike Moore, Commissioner

Les Young, Commissioner

Members voting "YES":



M. Edward Meyer, Commissioner

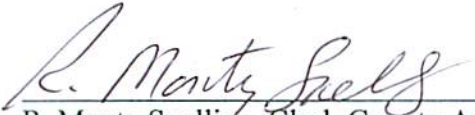


Mike Moore, Commissioner



Les Young, Commissioner

Attested by:



R. Monty Snelling, Clark County Auditor