

WARREN COUNTY, INDIANA
BOARD OF COMMISSIONERS
ORDINANCE NO. 2013 - 5

WHEREAS, the Board of Commissioners ("Commissioners") of Warren County, Indiana ("County") is the legislative body of the County;

WHEREAS, the Commissioners have previously (for 2013) budgeted \$245,226.00 within the County's general fund for purposes of the County home, and the County home was closed effective as of the end of March 2013 and the Commissioners have advised the County Council that the remaining unused and unencumbered funds are no longer necessary or required for the purposes of the County home;

WHEREAS, IC 36-1-8-5 provides that whenever the purposes of a County tax levy have been fulfilled and an unused and unencumbered balance remains in the fund, the County Council must order the balance of that fund to be transferred to either the general fund or the rainy day fund of the county;

WHEREAS, the Commissioners desire to use those funds to procure highway equipment;

WHEREAS, IC 36-1-8-5.1 provides that the County may adopt an ordinance to establish a rainy day fund;

WHEREAS, the County has previously authorized the establishment of a rainy day fund and now desires to: (i) ratify and confirm the establishment of a rainy day fund; (ii) specify the funds which will be deposited to the rainy day fund; and (iii) identify the purposes for which funds in the rainy day fund may be expended;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF WARREN COUNTY, INDIANA AS FOLLOWS:

Section 1. (a) Pursuant to IC 36-1-8-5.1, there is hereby established a fund to be designated as the "Rainy Day Fund".

(b) The Rainy Day Fund shall consist of and include:

(1) unused and unencumbered funds under IC 36-1-8-5;

(2) distributions from the County's account held in the State general fund under:

(A) IC 6-3.5-1.1-21.1; or

(B) (iv) IC 6-3.5-7-17.3; and

(3) any other legally available revenues.

Section 2. (a) The Rainy Day fund will be subject to the same appropriation process as other funds of the County that receive tax money, and prior to making an appropriation from the Fund, the Council must find that the proposed use of the Rainy Day Fund is consistent with the intent of the Fund.

(b) Money in the Rainy Day Fund may be spent for any corporate purpose of the County, and the specific purpose for any appropriation shall be set forth by an ordinance of the Council at the time of such appropriation.


Section 3. All previous actions with respect to the establishment and use of the rainy day fund are hereby ratified and confirmed.

Section 4. All ordinances and parts of ordinances in conflict herewith are hereby repealed.

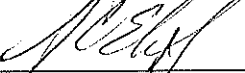
Section 5. This ordinance shall be in full force and effect from and after its passage and execution by the Board of Commissioners.

ADOPTED this 20th day of May, 2013, by a vote of 3 ayes and 0 nays.

BOARD OF COMMISSIONERS OF
WARREN COUNTY, INDIANA



Thomas A. Hetrick



Steven C. Eberly



Anton "Tony" Briles

ATTEST:



Michelle Hetrick, Auditor