

STATE OF INDIANA

BEFORE THE BOARD OF CLARK COUNTY COMMISSIONERS

ORDINANCE NO. 7-2011

**AN ORDINANCE ESTABLISHING A NON-REVERTING  
FUND FOR THE DEPOSIT OF FUNDS AND DISBURSEMENT  
OF COSTS AND DISTRIBUTIONS RELATED TO THE  
COMMISSIONERS' TAX SALE HELD BETWEEN MARCH 3-14, 2011**

**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 and costs and distributions disbursed related to the Commissioners' Tax Sale held between March 3-14, 2011 (the "Commissioners' Tax Sale"); and,

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

1. Establishment of Commissioners' Tax Sale Non-Reverting Fund. The *Commissioners' Tax Sale 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

exist until such time as all funds deposited from the Commissioners' Tax Sale are disbursed or distributed to the respective taxing units, at which time the fund shall automatically terminate.

2. Management and Accounting for the Fund. The Clark County Auditor is hereby directed to maintain and manage accurate accounting information regarding the receipts, expenditures, and balances of the Fund.

3. Deposits into the Fund. All proceeds from the Commissioners' Tax Sale shall be deposited into the Fund.

4. 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 the Commissioners' Tax Sale as recommended by the Auditor or the Treasurer, and as further appropriated by the County Council, with the remainder being distributed to the respective taxing units without necessity of any such appropriation. 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.

5. 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 18<sup>th</sup> day of March, 2011.

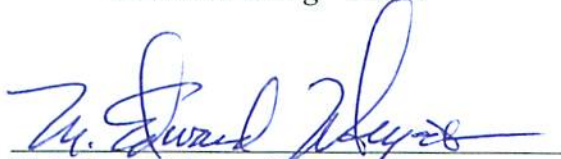
*Members voting "NO":*

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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