

ORDINANCE NO. FCO-6

**AN ORDINANCE ESTABLISHING THE FLOYD  
COUNTY LANDOWNER'S LIABILITY AND  
CONTINGENCY FUND**

**WHEREAS**, IC 36-1-3 empowers local units to government to exercise powers of self-government needed for their effective operation so long as the powers so exercised are not reserved to the State;

**WHEREAS**, the adoption of an ordinance is necessary for Floyd County to exercise such local powers pursuant to IC 36-1-3-6;

**WHEREAS**, the Board of Commissioner of Floyd County deem it necessary and essential to create the FLOYD COUNTY LANDOWNER'S LIABILITY AND CONTINGENCY FUND so as to provide a means of protection for the County in the face of any possible contingencies, or potential liability, that may occur, or arise from, the County's ownership interest in the Clark-Floyd Landfill at Bennettsville, Indiana;

**NOW THEREFORE BE IT ORDAINED BY THE BOARD of  
COMMISSIONERS of FLOYD COUNTY as follows:**

- 1) There is hereby established the Floyd County Landowner's Liability and Contingency Fund;
- 2) That said fund shall be the depository for fifty percent (50%) of all monies received, for both monthly usage rights and per-ton solid waste disposal, from Harrison County, Indiana and from all haulers in Harrison County who dispose of solid waste from said County at the Clark-Floyd landfill;
- 3) That said fund shall be non-reverting in nature and all expenditures therefrom shall be exclusively made and controlled by the Board of Commissioners of Floyd County;

4) That expenditures from said fund may be made for the following purposes;


(a) Providing for long-term liability protection for the county;

(b) Current planning to avoid long-term liability;

(c) Current expenses incurred for the liability prevention and long-term planning purposes and goals for which this fund is established;


(d) Payment of any professional, travel or other reasonable expenses incurred in the operation of this fund.

THIS ORDINANCE UNANIMOUSLY APPROVED BY THE BOARD OF COMMISSIONERS OF FLOYD COUNTY ON THIS 17 DAY OF SEPTEMBER, 1991.

  
CHARLES ZIPE

  
EDMUND KNABLE

  
LARRY DENISON

ATTEST:   
BETH SHARP, AUDITOR