

FLOYD COUNTY ORDINANCE 1994- VII

AN ORDINANCE CONFIRMING THE ESTABLISHMENT OF NON-REVERTING FUNDS BY THE BOARD OF COMMISSIONERS OF THE COUNTY OF CLARK AND PERTAINING TO THE DISPOSITION OF FRANCHISE FEES DERIVED FROM THE FLOYD-CLARK LANDFILL

WHEREAS, Clark County, Indiana, and Floyd County, Indiana, are the owners, as tenants in common, of the various parcels and tracts of land located in the County of Clark, State of Indiana, and comprising what is commonly know as the Clark-Floyd Landfill; and

WHEREAS, the Board of Commissioners of the County of Clark and the Board of Commissioners of the County of Floyd, did, effective on the 6th day of December, 1982, grant to the Clark-Floyd Landfill Corporation, pursuant to the provisions of I.C. 36-2-2-23, a non-exclusive franchise and license to operate upon said real estate a solid waste disposal facility; and

WHEREAS, pursuant to said Sanitary Landfill Franchise and License, as amended from time to time, the Clark-Floyd Landfill Corporation is obligated to pay over and remit to Clark and Floyd Counties certain franchise and license fees; and

WHEREAS, the Board of Commissioners of the County of Clark and the Board of Commissioners of the County of Floyd are the executive and legislative bodies of, respectively, Clark and Floyd Counties, Indiana, as provided by the provisions of I.C. 36-2-2-2 and I.C. 36-1-2-9; and

WHEREAS, the Board of Commissioners of the County of Clark has, pursuant to the provision of I.C. 36-1-3, et. seq., established various non-reverting funds for the deposit of those franchise and licenses fees received by Clark and Floyd Counties from and under the non-exclusive License and Franchise granted the Clark-Floyd Landfill Corporation; and

WHEREAS, the Board of Commissioners of the County of Floyd is desirous by this ordinance of confirming and adopting said ordinances governing the disposition of said fees and of nominating and confirming the Board of Commissioners of the County of Clark as the custodian thereof.

NOW THEREFORE:

BE IT ORDAINED, that the Board of Commissioners of the County of Floyd does hereby confirm the adoption by the Board of Commissioners of the County of Clark of Clark County

Ordinance No. 8-1993, the same establishing the Wilson Switch Road Basic Maintenance Fund, with said ordinance being incorporated herein by reference and made a part hereof.

BE IT FURTHER ORDAINED, that the Board of Commissioners of the County of Floyd does hereby confirm the adoption by the Board of Commissioners of the County of Clark of Clark County Ordinance No. 10-1993, the same establishing the Closure and Post Closure Fund, with said ordinance being incorporated herein by reference and made a part hereof.

BE IT FURTHER ORDAINED, that the Board of Commissioners of the County of Floyd does hereby confirm the adoption by the Board of Commissioners of the County of Clark of Clark County Ordinance No. 11-1993, the same establishing the Landfill Improvements Fund, with said ordinance being incorporated herein by reference and made a part hereof.

BE IT FURTHER ORDAINED, that the Board of Commissioners of the County of Floyd does hereby confirm the adoption by the Board of Commissioners of the County of Clark of Clark County Ordinance No. 12-1993, the same establishing the Landfill Insurance Fund, with said ordinance being incorporated herein by reference and made a part hereof.

BE IT FURTHER ORDAINED, that the Board of Commissioners of the County of Floyd does hereby designate Clark County, Indiana, acting by and through the Board of Commissioners of the County of Clark, as the custodian of all fees, monies, and revenues which may, from time to time, be deposited in any of the funds delineated by this ordinance, with the expenditure of such fees, monies, or revenues, or the transfer thereof from any such funds, being reserved to the Board of Commissioners of the County of Clark and the Board of Commissioners of the County of Floyd, upon their mutual agreement.

SO ORDAINED this 4 day of October, 1994.

BOARD OF COMMISSIONERS
OF THE COUNTY OF FLOYD

Lawry R. Demson
MEMBER

William R. Burkhardt Jr.
MEMBER

Mary Lou Hammond
MEMBER

ATTEST:

Beth Sharp
FLOYD COUNTY AUDITOR