# ORDINANCE NUMBER 2003-03

## AN ORDINANCE ESTABLISHING MARTIN COUNTY CORRECTIONS FUND

WHEREAS, State Enrolled Act Number 395, Enrolled Act Number 395, passed by the General Assembly during the regular session of the Indiana Legislature in 1986, added to the Statutes of the State of Indiana I.C. 11-12-6, et seq. Provide for the establishment and funding of a county corrections fund; and

WHEREAS, I.C. 11-12-6-6 provides that any County may annually adopt an Ordinance to elect to receive deposits from the State Department of Correction and to establish a County Corrections; and

WHEREAS, The County in Corrections Fund may be used only for funding the operation of the County Jail, jail programs, or other local correctional facilities; and

WHEREAS, The County in concurring with this Ordinance may elect to receive deposits from the State Department of Corrections and establish a County Corrections fund and receive deposits at either Level 1, Level 2, or Level 3 funding; and

WHEREAS, Level 3 is the most appropriate level of participation for Martin County;

NOW, THEREFORE, BE IT ORDAINED BY THE MARTIN COUNTY COMMISSIONERS as shall be hereafter further adopted and passed by the Martin County Commissioners as follows:

SECTION 1. The Martin County Auditor is hereby authorized to receive deposits from the Department of Corrections in accordance with I.C. 11-2-6 et seq. As the County Commissioners and County Council shall by this Ordinance elect to receive same in accordance with said statute.

SECTION 2. That the County does hereby elect to receive such deposits at level 3 Funding for the year 2003.

SECTION 3. That there is hereby created a "Martin County Corrections Fund" to be administrated by the Martin County Sheriff. The Fund shall consist of deposits received from the Department of Corrections in accordance with I.C. 11-2-6, et seq.

SECTION 4. The Martin County Corrections Fund may be used only for funding the peration of the County Jail, Jail Programs and other local correctional facilities. Any monies remaining in the Martin County Corrections Fund at the end of the year shall not revert to any other fund, but remain in said Martin County Correction Fund for use as specified in the Statue regarding same and as herein above set forth, and shall not require a notice of encumbrance but retention shall be automatic and in accordance with Title 11 of the Statues of the State of Indiana.

SECTION 5. This Ordinance shall be in full force and effect after its passage by the Martin County Commissioners.

**PASSED BY THE MARTIN COUNTY BOARD OF COMMISSIONERS OF MARTIN COUNTY, INDIANA, THIS 15 DAY OF APRIL, 2003.**

Delbert J Howell
**DELBERT HOWELL**

Paul McFeaters
**PAUL McFEATERS**

William L. Sanders
**WILLIAM SANDERS**

**ATTEST:**

Frances K. Taylor
**FRANCES K. TAYLOR,**
Martin County Auditor

hereby authorized to take any and all actions and to execute all such instruments as may be necessary or appropriate to accomplish the current refunding of the outstanding 1993 Bonds, in such forms as the officers executing the same shall deem proper, to be evidenced by the execution thereof, including , without limitation, (i) executing an addendum to the Lease to provide for lower annual lease rental payments as a result of the refinancing of the outstanding 1993 Bonds, and (ii) entering into a continuing disclosure undertaking agreement to provide continuing disclosure with respect to the Refunding Bonds as required under the federal securities laws.

Section 4. The Refunding Bonds are hereby designated as "qualified tax-exempt obligations" within the meaning of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended. The Auditor of the County is hereby authorized to revoke such designation by written certificate at any time prior to the sale of the Refunding Bonds.

Section 5. This Resolution shall be in full force and effect from and upon compliance with the procedures required by law.

The foregoing was passed by the Board of Commissioners of the County of Martin, Indiana, this 24th day of June, 2003.

**THE BOARD OF COMMISSIONERS OF THE COUNTY OF MARTIN, INDIANA**

Delbert J Howell

Delbert Howell, Commissioner

Paul McFeaters

Paul McFeaters, Commissioner

William L. Sanders

William Sanders, Commissioner

ATTEST:

Frances K. Taylor

Frances K. Taylor, Auditor
Martin County, Indiana