

THE COUNTY BULLETIN

And Uniform Compliance Guidelines

ISSUED BY STATE BOARD OF ACCOUNTS

Vol. No. 372

April 2010

REMINDER OF ORDER OF BUSINESS

April

2 Good - Friday - Legal Holiday (IC 1-1-9-1)

27, 28 & 29 State Board of Accounts called meeting for County Recorders - Indianapolis

15 Members of Tax Adjustment Board to be appointed before this date in counties that have not abolished such board. (IC 6-1.1-29-2)

Last day to make pension report and payment for first quarter by counties participating in Public Employees' Retirement Fund.

20 Last day to report and make payment of balance of State and County Income Tax withheld in March to Indiana Department of Revenue.

Last day to file quarterly unemployment compensation reports with the Department of Workforce Development.

30 Last day to file quarterly report of federal withholding tax with Director of Internal Revenue Service.

May

1 Prepare report of school funds to Auditor of State and make payment of principal and interest due to Treasurer of State on the Common and Permanent Endowment Funds, and pay the Treasurer of State all fines and forfeitures on hand April 30, 2009, as shown in this report. (IC 20-42-1-6)

10 First installment of property taxes due. (IC 6-1.1-22-9)

15 On or before May 15 is the last regular day for filing applications for tax exemption by Churches, Educational and Charitable organizations. (IC 6-1.1-11-3)

Period for normal filing of personal property schedules ends. (IC 6-1.1-1-7)

Before May 16, of each even numbered year, the County Auditor shall provide to the County Assessor a list by taxing district of property for which a tax exemption was in effect for the preceding year. (IC 6-1.1-11-5)

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REMINDER OF ORDER OF BUSINESS
(Continued)

May – (continued)

- 20 Last day to report and make payment of State and County Income Tax withheld in April to Indiana Department of Revenue.
- 26, 27 & 28 State Board of Accounts called meeting for County Auditors – Fort Wayne
- 31 Memorial Day – Legal Holiday (IC 1-1-9-1)

June

- 1 Last date for filing County Highway Annual Operational Report with the State Board of Accounts and other governmental agencies. (IC 8-17-4.1-7)

On or before June 1 the County Auditor will certify the name and addresses of persons who have money due them from the County to the County Treasurer for determining if such persons owe delinquent property taxes. (IC 6-1.1-22-14)

On or before June 1 the County Treasurer will provide to the Auditor of State, Indiana Department of Transportation, and any state institution or state school a list of persons who owe delinquent property taxes and are believed to have money due to them from that agency. (IC 6-1.1-22-16)
- 8, 9 & 10 State Board of Accounts called meeting for Clerk of the Circuit Courts – Indianapolis
- 10 Last day for filing applications for tax deductions to obtain deduction on 2009 payable 2010 taxes. (IC 6-1.1-12) (statute states before June 11)
- 15 Before June 16 of each even numbered year the County Assessor is to give notice to tax exempt organizations which failed to file an application for exemption of property tax for which an exemption was effective for the previous year, if application must be filed for the exemption under IC 6-1.1-11-3.5. (IC 6-1.1-11-5)
- 20 Last day to report and make payment of State and County Income tax withheld in May to Indiana Department of Revenue.

On or before this date complete settlement and distribution of taxes collected by the County Treasurer since the last settlement. Prepare settlement sheet to be submitted to Auditor of State for approval and make distribution of funds due local governmental units and the Treasurer of State by June 30. (IC 6-1.1-27-1 & IC 6-1.1-27-3)
- 30 County Treasurer to certify list of real property eligible for tax sale to County Auditor on or before July 1. (6-1.1-24-1)

FEDERAL REIMBURSEMENT FOR HOUSING FEDERAL PRISONERS

All reimbursements to the county sheriff from the federal government for housing federal prisoners shall be turned over to the county auditor for deposit into the County General Fund.

LANDFILL CLOSURE/POST-CLOSURE TRUST FUND

IC 13-22-9-1 states: "Except as provided in section 8 of this chapter, a person that applies for a permit to operate a:

- (1) hazardous waste landfill;
- (2) solid waste landfill; or
- (3) transfer station;

must establish financial responsibility for the costs of closure and postclosure monitoring and maintenance of the hazardous waste landfill, solid waste landfill, or transfer station."

IC 13-22-9-2 states: "The financial responsibility established under section 1 of this chapter must cover the costs of:

- (1) properly closing, in an environmentally sound manner; and
- (2) during postclosure, monitoring and maintaining; the hazardous waste landfill, solid waste landfill, or transfer station."

IC 13-22-9-3 states: "Financial responsibility may be established under section 1 of this chapter by filing one (1) or a combination of the following with the commissioner:

- (1) Trust fund agreement.
- (2) Surety bond with a standby trust fund agreement.
- (3) Letter of credit with a standby trust fund agreement.
- (4) Insurance policy with a standby trust fund agreement.
- (5) If the person applying for a permit derives less than fifty percent (50%) of the person's gross revenue from waste management, proof that the person meets a financial test established by the board."

If your county chose the Trust Fund option, a separate (expendable trust) fund should have been established entitled Landfill Closure/Post Closure Trust Fund to account for the initial payment to the trustee and any future payments made or interest earned on the trust fund.

The reason a separate trust fund should be established is that each county will eventually either be refunded the monies which they paid into the trust fund or they will direct the Department of Environmental Management to make payment to the contractors when the landfill is closed.

CONGRESSIONAL INTEREST

IC 20-42-2-5 states: "A county shall be held liable for the:

(1) preservation of the part of the fund as is entrusted or has been entrusted to the county;
and

(2) payment of the annual interest on the fund, at the rate established by law."

IC 20-42-2-7 states: "The county auditor of each county or the treasurer of state shall, semiannually, on the second Monday of July and on the last Monday in January make apportionment of the amount of the congressional township school revenue belonging to each school corporation. The apportionment shall be paid to each school corporation's treasurer."

COUNTY BOAT EXCISE TAX FUND

Each county treasurer shall deposit the boat excise taxes collected by the Bureau of Motor Vehicles and the boat excise taxes distributed by the Auditor of State under IC 6-6-11-29 into a boat excise tax fund. Such fund shall be accounted for by county treasurers on the Other Sources sections of the Treasurer's Daily Balance of Cash and Depositories.

IC 6-6-11-33 states: "The county treasurer shall do the following:

- (1) At the same time a settlement is made with the county auditor under IC 6-1-1-27, file a report, on a form prescribed by the state board of accounts, with the county auditor concerning the boat excise taxes received during the preceding six (6) month period.
- (2) In the manner and at the times prescribed in IC 6-1-1-27, make a settlement with the county auditor for the boat excise taxes received under this chapter.
- (3) In the manner prescribed by the state board of accounts, maintain records concerning the boat excise taxes received and distributed."

PUBLIC WORKS PROJECTS – WAGE SCALE PROVISIONS

IC 36-1-12-5(a) states: "A contract by the board for public work must conform to the wage scale provisions of IC 5-16-7."

IC 5-16-7-1 states in part: "...(a) Any firm, individual, partnership, limited liability company, or corporation that is awarded a contract by the state, a political subdivision, or a municipal corporation for the construction of a public work, and any subcontractor of the construction, shall pay for each class of work...on the project a scale of wages that may not be less than the common construction wage..."

IC 5-16-7-2 states in part: "The state or any municipal corporation thereof letting any such contracts shall require any contractor or subcontractor performing such public work to file a schedule of the wages to be paid to such laborers, workmen, or mechanics thereon with the state or with such municipal corporation..."

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PUBLIC WORKS PROJECTS – WAGE SCALE PROVISIONS (Continued)

Awarding agencies should contact the county attorney and appropriate state agencies, prior to advertising for bids, to properly comply with this statute.

NOTICE OF VOTING PLACES

IC 3-11-8-3.2 states in part:

“(a) A county executive shall give ten (10) days notice of the place of voting in each precinct by publication in the manner prescribed by IC 5-3-1-4...”

IC 5-3-1-4 states in part:

“(a) Whenever officers of a political subdivision are required to publish a notice affecting the political subdivision, they shall publish the notice in two (2) newspapers published in the political subdivision.

(b) This subsection applies to notices published by county officers. If there is only one (1) newspaper published in the county, then publication in that newspaper alone is sufficient...”

VEHICLE INSPECTION FUND

IC 9-17-2-12 states in part:

“...(c) An application for a certificate of title for a motor vehicle or recreational vehicle may not be accepted by the bureau unless the motor vehicle or recreational vehicle has been inspected by one (1) of the following:

- (1) An employee of a dealer designated by the secretary of state to perform an inspection.
- (2) A military policeman assigned to a military post in Indiana.
- (3) A police officer.
- (4) A designated employee of the bureau...”

IC 9-29-4-2 states in part: “A person ...who makes an inspection under IC 9-17-2-12 may charge a fee. A fee charged under this section is subject to the following:

- (1) The fee must be established by ordinance adopted by the unit (as defined in IC 36-1-2-23).
- (2) The fee may not exceed five dollars (\$5).
- (3) The revenue from the inspection fee shall be deposited in the following manner:
 - (A) A special vehicle inspection fund if the person making the inspection is a member of the county sheriff's department. The fiscal body of the unit must appropriate the money from the inspection fund only for law enforcement purposes....”

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APPROPRIATIONS - WHEN NOT REQUIRED

In some instances statutory authority is given the county auditor to make disbursements without an appropriation having been previously made for the specific purpose. Examples are as follows:

1. Premiums on official bonds. (IC 5-4-5-3)
2. Tax refunds. (IC 36-2-9-14)
3. Any money belonging to the state, school fund, or any fund of any township, town or city and commanded by law to be paid to such municipality. (IC 36-2-9-14)
4. Any money due a taxpayer which has been paid on a public improvement such as ditches and drains. (IC 36-2-9-14)
5. Redemption of property sold at tax sale. (IC 36-2-9-14)
6. Per diem, lodging, and mileage for conferences called by State Board of Accounts. (IC 5-11-14-1)
7. Examination of records. (IC 5-11-4-4)
8. Line fence assessments. (IC 32-26-9-4)
9. Federal grants, if advanced and not received as a reimbursement of expenditures.
10. Advances to conservancy districts on order of court. (IC 14-33-7-15)
11. Surplus tax refunds. (IC 6-1.1-26-5)
12. Refund of money erroneously received. (IC 6-1.1-18-9)
13. Correction of errors in posting. (IC 6-1.1-18-9)
14. Jail commissary fund. (IC 36-8-10-21)
15. Investment of funds.
16. Title IV-D incentive fund (clerk and prosecuting attorney portions). (IC 31-25-4-23)
17. Repayment of temporary loans.
18. Recorder's records perpetuation fund. (IC 36-2-7-10)
19. Firearms Training Fund. (IC 35-47-2-3).
20. Accident Report Fund. (IC 9-29-11-1)
21. County Law Enforcement Continuing Education Fund. (IC 5-2-8-1)
22. Special Death Benefit Fee Fund. (IC 5-10-10; IC 35-33-8-3.2)
23. Military Fines. (IC 10-16-9-3)

There may be other laws under which funds may be disbursed without appropriation; however, appropriations are required before disbursements may be made from any fund subject to the Budget Laws unless specific authority to disburse without appropriation is provided by law.

APPROPRIATIONS - REQUIRED BY COUNTY COUNCIL ONLY

The following is a list of funds which require county council approval of an appropriation. Due to the nature of the funds, the Department of Local Government Finance does not require submission of an additional appropriation request before the local appropriation can be approved.

1. County Supplemental Adult Probation Services Fund. (IC 35-38-2-1)
2. County Supplemental Juvenile Probation Services Fund. (IC 31-40-2-2)
3. County User Fee Fund. (IC 33-37-8-6)
4. Plat Book Fund. (IC 36-2-9-18)
5. Local Emergency Right to Know Fund. (IC 6-6-10-7)
6. Pretrial Diversion Fund (Excess). (IC 33-37-8-7)
7. Community Corrections Home Detention Fund. (IC 11-12-7-3; IC 35-38-2.5-8)
8. County Extradition Fund. (IC 35-33-14)
9. County Correction Fund. (IC 11-12-6-6)
10. Supplemental Public Defender Services Fund. (IC 33-40-3-2)
11. Emergency Telephone System Fund. (IC 36-8-16-14)

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APPROPRIATIONS - REQUIRED BY COUNTY COUNCIL ONLY (Continued)

12. Cumulative Bridge Fund. (IC 8-16-3-3)
13. Local Health Maintenance Fund. (IC 16-46-10)
14. Vehicle Inspection Fund. (IC 9-29-4-2)

ADDITIONAL APPROPRIATIONS

IC 6-1.1-18-5(a) states in part:

“If the proper officers of a political subdivision desire to appropriate more money for a particular year than the amount prescribed in the budget for that year as finally determined under this article, they shall give notice of their proposed additional appropriation. The notice shall state the time and place at which a public hearing will be held on the proposal. The notice shall be given once in accordance with IC 5-3-1-2(b)....”

IC 5-3-1-2(b) states in part:

“If the event is a public hearing or meeting... notice shall be published one (1) time, at least ten (10) days before the date of the hearing or meeting.”

IC 36-2-5-12 states in part:

“(a) If, after the adjournment of its annual meeting under IC 36-2-3-7(b)(2), the county fiscal body finds that an emergency requiring additional appropriations exists, it may make additional appropriations at a special meeting...”

IC 6-1.1-18-5 states in part:

“...(e) After the public hearing, the proper officers of the political subdivision shall file a certified copy of their final proposal and any other relevant information to the department of local government finance. (f) When the department of local government finance receives a certified copy of a proposal for an additional appropriation under subsection (e), the department shall determine whether sufficient funds are available or will be available for the proposal. The determination shall be made in writing and sent to the political subdivision not more than fifteen (15) days after the department of local government finance receives the proposal...”

APPROPRIATIONS CARRIED FORWARD (ENCUMBRANCES)

Appropriations may be carried forward to the following year if any of the following conditions exist:

1. A lawful contract has been entered into with a vendor or contractor on or before December 31 and all or a part of the contract has not been paid.
2. A purchase order has been issued on or before December 31, entered as an encumbrance against an existing appropriation, and isn't paid as of December 31.
3. Proceeds of a bond issue have been duly appropriated and remain unexpended as of December 31.
4. Appropriations which are obligated by a contract or a agreement executed on or before December 31, between the county and any federal or state agency, such as a criminal justice planning grant, local road and street project, or federal grant requiring local matching funds.

APPROPRIATIONS CARRIED FORWARD (ENCUMBRANCES) (Continued)

Only the amount required to meet the balance due on a contract or purchase order may be carried forward; the amount remaining in the appropriation account shall revert to the fund from which appropriated.

TRANSFERS OF APPROPRIATIONS

IC 6-1.1-18-6 states:

“(a) The proper officers of a political subdivision may transfer money from one major budget classification to another within a department or office if:

- (1) they determine that the transfer is necessary;
- (2) the transfer does not require the expenditure of more money than the total amount set out in the budget as finally determined under this article; and
- (3) the transfer is made at a regular public meeting and by proper ordinance or resolution.

(b) A transfer may be made under this section without notice and without the approval of the department of local government finance.”

APPROPRIATION OF INSURANCE CLAIM PROCEEDS

IC 6-1.1-18-7 states in part: “... the fiscal officer of a political subdivision may appropriate funds received from an insurance company if:

- (1) the funds are received as a result of damage to property of the political subdivision; and
- (2) the funds are appropriated for the purpose of repairing or replacing the damaged property. However, this section applies only if the funds are in fact expended to repair or replace the property within the twelve (12) month period after they are received.”

QUALIFICATION OF NEWSPAPERS

IC 5-3-1-0.4 states in part: “... "newspaper" refers to a newspaper:

(1) that:

- (A) is a daily, weekly, semiweekly, or triweekly newspaper of general circulation;
- (B) has been published for at least three (3) consecutive years in the same city or town;
- (C) has been entered, authorized, and accepted by the United States Postal Service for at least three (3) consecutive years as mailable matter of the periodicals class; and
- (D) has at least fifty percent (50%) of all copies circulated paid for by subscribers or other purchasers at a rate that is not nominal; or

(2) that:

QUALIFICATION OF NEWSPAPERS (Continued)

(A) is a daily, weekly, semiweekly, or triweekly newspaper of general circulation;

(B) has been entered, authorized, and accepted by the United States Postal Service as mailable matter of the periodicals class;

(C) has at least fifty percent (50%) of all copies circulated paid for by subscribers or other purchasers at a rate that is not nominal; and

(D) meets the greater of the following conditions:

(i) The newspaper's paid circulation during the preceding year is equal to at least fifty percent (50%) of the paid circulation for the largest newspaper with a periodicals class permit located in the county in which the newspaper is published, based on the average paid or requested circulation for the preceding twelve (12) months reported in the newspaper's United States Postal Service Statement of Ownership published by the newspaper in October of each year or based on the newspaper's initial application for a permit from the United States Postal Service.

(ii) The newspaper has an average daily paid circulation of one thousand five hundred (1,500) based on the average paid or requested circulation for the preceding twelve (12) months reported in the newspaper's United States Postal Service Statement of Ownership published by the newspaper in October of each year or based on the newspaper's initial application for a permit from the United States Postal Service. "

IC 5-3-2-2 states:

"(a) This section does not apply in counties that have a population of more than forty thousand (40,000).

(b) In addition to the requirement for all newspapers provided in IC 5-3-1-4, a newspaper in which notices, reports, and other information affecting county business are required by law to be published shall have a paid circulation of not less than two percent (2%) of the population of the county in which it is published.

(c) In addition to the requirements for qualified publications provided in IC 5-3-1-4, in which notices, reports, and other information affecting county business may be published, qualified publications must be circulated to not less than ten percent (10%) of the population of the county in which the qualified publication is published."

ALLOCATION OF PENALTIES COLLECTED FOR FAILURE TO TIMELY REGISTER MOTOR VEHICLES

IC 9-18-2-1 states: "(a) Within sixty (60) days after becoming an Indiana resident, a person must register all motor vehicles owned by the person that:

- (1) are subject to the motor vehicle excise tax under IC 6-6-5; and
- (2) will be operated in Indiana."

IC 9-18-2-40(b) states: "A person who violates this chapter commits a Class C infraction."

IC 9-18-2-41 states: "(a) In addition to:

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(Continued)

- (1) the penalty described under section 40 of this chapter; and
 - (2) any judgment assessed under IC 34-28-5 (or IC 34-4-32 before its repeal); a person who violates section 1 of this chapter shall be assessed a judgment equal to the amount of excise tax due under IC 6-6-5 or IC 6-6-5.5 on the vehicle involved in the violation.
- (b) The clerk of the court shall do the following:
- (1) Collect the additional judgment described under subsection (a) in an amount specified by a court order.
 - (2) Transfer the additional judgment to the county auditor on a calendar year basis.
- (c) The auditor shall distribute the judgments described under subsection (b) to law enforcement agencies, including the state police department, responsible for issuing citations to enforce section 1 of this chapter.
- (d) The percentage of funds distributed to a law enforcement agency under subsection (c):
- (1) must equal the percentage of the total number of citations issued by the law enforcement agency for the purpose of enforcing section 1 of this chapter during the applicable year; and
 - (2) may be used for the following:
 - (A) Any law enforcement purpose.
 - (B) Contributions to the pension fund of the law enforcement agency.”

To facilitate the handling and allocation of these fees, the following procedures should be observed:

1. The clerk of the court which collects these penalties must include a memorandum with the remittance which shows the number of citations filed in the court by each law enforcement agency for failure to timely register a motor vehicle. Such memorandum could be as follows:

<u>Law Enforcement Agency</u>	<u>Number of Citations</u>
_____ County Sheriff	6
Urban City Police	2
Best Town Marshall	<u>2</u>
Total	<u>10</u>

2. The amount received from the clerk would be receipted to a fund called “Judgments Due Law Enforcement Agencies.”
3. The amount receipted to the Judgments Due Law Enforcement Agencies Fund would then be multiplied by the percentage of the total citations which were filed by each law enforcement agency during the applicable period to determine the amount due each law enforcement agency.

Using the number of citations shown in Item 1 above an example of a worksheet to determine the allocation of funds is as follows:

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ALLOCATION OF PENALTIES COLLECTED FOR FAILURE TO TIMELY REGISTER MOTOR VEHICLES
(Continued)

Amount Received From Court \$450.00

<u>Law Enforcement Agency</u>	<u>Number of Citations</u>	<u>Percentage of Total</u>	<u>Amount Due Agency</u>
_____ County Sheriff	6	60%	\$ 270.00
Urban City Police	2	20%	90.00
Best Town Marshall	<u>2</u>	<u>20%</u>	<u>90.00</u>
 Total	 <u>10</u>	 <u>100%</u>	 <u>\$ 450.00</u>

4. After the amount due each law enforcement agency is determined a warrant should be issued to the disbursing officer of the particular governmental unit for the amount due. The warrant should be accompanied by a brief explanation showing the purpose of the distribution.

5. The amount due the county on account of citations filed by the sheriff's department should be receipted by quietus to a fund called "Motor Vehicle Registration Penalties." This fund can be expended for any law enforcement purpose. However, disbursement should be by county warrant and only after a duly itemized claim has been approved by the board of county commissioners.

6. Any amount due on account of citations issued by the state police would be sent to the Auditor of State.

COURT FEES

State Court Administration has provided the following clarification on charging of fees for hardship licenses. This was originally presented in the January 2008 County Bulletin Vol. No. 360 on page 13. This presentation updates the fees and adds a question and answer section provided by State Court Administration for further clarification.

HARDSHIP LICENSE FEES:

At this time, Clerks of the Courts should be charging a \$106 filing fee for ALL hardship license cases. IC 9-30-10-7 states that this amount should be charged for cases involving habitual violators. To simplify this process, State Court Administration advises Clerks to charge this fee for all hardships cases. State Court Administration will seek changes to clarify this issue. The filing fee includes the following:

Court Costs for an Infraction	\$ 70.00
Civil Service (If applicable)	
Court Administration	5.00
Automated Record Keeping	7.00
Judicial Insurance Adjustment	1.00
Judicial Salaries	18.00
Public Defense Administration	3.00
Document Storage	<u>2.00</u>
 Total	 <u>\$106.00</u>

COURT FEES (Continued)

Question 1: Is a Petition for a Restricted Driver's License the same as a Petition for a Hardship License?

Yes. I.C.9-24-15 is given the title "Issuance of Restricted Driver's License Because of Hardship." Some attorneys might name the petition a petition for restricted driver's license and others may name it a petition for a hardship license, but it is the same thing.

Question 2: Is a Petition filed under I.C. 9-24-15-2 filed as part of an existing case?

No. It is a civil proceeding that is titled in the name of the petitioner against the prosecuting attorney of the county. This is true whether the case is filed in the county where the petitioner resides or is filed in a county where the petitioner is charged with, or on probation for, a violation I.C.9-30-5 (OVWI offenses) or his license is suspended after being convicted one of the offenses described in I.C.35-48-4-15(a).

Question 2(a): What is the case type? MI

Question 2(b): What are the court costs? Civil Court Costs \$100.00 (+ the additional fees for civil case). I.C. 9-24-15-5(e) makes the petitioner responsible for court costs, but does not make any specific reference to what the costs would be. Therefore, the regular court costs for a civil case would be assessed.

Question: Is a Petition for Judicial Review the same as a Petition for a Probationary License?

No, but sometimes a party who intends to file a Petition for Judicial Review may name the petition incorrectly. A Petition for Judicial Review refers to a petition filed in connection with a Habitual Violator determination. I.C. 9-30-10-6. One of the possible remedies is that the Court can place the person on probation and order him to apply to the BMV for a restricted driver's license. The statutory language about placing the person "on probation" might confuse the petitioner to think he is applying for a "probationary license" but he isn't; he is applying for a restricted license.

To add to the possible confusion, the chapter dealing with driver's license suspensions for persons convicted of OVWI offenses permits the court to grant the defendant "probationary driving privileges" for a probationary driving period that commences when the BMV issues the "probationary license." I.C.9-30-5-11. Ordinarily, the defendant will just request this in the course of sentencing in the criminal case and he wouldn't file a petition. There would be no additional court costs beyond the criminal court costs.

Question: What is the case type for a Petition for Judicial Review? MI

Question: What are the court costs for a Petition for Judicial Review? I.C. 9-30-10-7(f) provides that the court costs are the same as the costs assessed in an infraction case. The petitioner must pay at the time of filing, but if the court reinstates his driver's license, he is entitled to a refund.



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AMOUNTS AUTHORIZED TO BE RECEIVED BY SHERIFFS FOR BOARD OF PRISONERS

By authority of IC 36-8-10-7, I Bruce Hartman, CPA, State Examiner of the State Board of Accounts, do hereby fix the exact amount per meal which the sheriff of each county in the State of Indiana, shall be entitled to receive for feeding prisoners legally in his charge, including Federal prisoners, for a period of one year, beginning April 15, 2010. Amounts received by the sheriff from the Federal government for board and care of Federal prisoners shall be paid into the County General Fund.

In determining and fixing the amount per meal, the use of wholesome food in quantities and varieties necessary for the preservation of the health of the prisoners is contemplated. All expenses related to preparing and serving meals, except for the costs of food, shall be borne by the county.

The amounts fixed are for meals actually served such prisoners during each respective month. Not more than three meals at county expense are to be served to any one prisoner in any one day.

The term "month" shall mean a period of time beginning April 15, 2010 and thereafter ending on the fourteenth (14th) day of each succeeding month. Claims for meals for the month beginning December 15th will be paid from the appropriation for the succeeding year.

For number of meals served during a period of one month, per meal:

In counties having a population of less than 20,000	\$1.89
In counties having a population of 20,001 to 40,000.	\$1.83
In counties having a population of 40,001 to 60,000.	\$1.75
In counties having a population of 60,001 to 80,000.	\$1.55
In counties having a population of 80,001 to 100,000.	\$1.31
In counties having a population of 100,001 to 200,000.	\$1.19
In counties having a population of 200,001 or over.	\$1.12

The following counties will not be allowed the amounts authorized above:

Allen

Lake

Marion

Vanderburgh

Bruce Hartman, CPA
State Examiner

Dated this 26th day of March, 2010
DG/TRW:db