

FCO 2008-XIII

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

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

WHEREAS, adoption of an ordinance is necessary for Floyd County government to exercise such local powers pursuant to I.C. 36-1-3-6;

WHEREAS, the Board of Commissioners 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;

WHEREFORE, BE IT ORDAINED BY THE COUNTY COMMISSIONERS OF FLOYD COUNTY:

- 1) There is hereby 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 government 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 Clark County;
- 4) That expenditures from said fund may be made for the following purposes;
 - (a) for the purpose of providing for long-term liability protection for the county;
 - (b) for the purpose of current planning


to avoid long term liability protection for the county;

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

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

SO ORDAINED this 16th day of Dec., 2008.

BOARD OF COMMISSIONERS
OF THE COUNTY OF FLOYD



Stephen A. Bush, President



Charles A. Freiberger, Member



D. Mark Seabrook, Member

Attest:



Teresa A. Plaiss, Auditor