FCO 2026-_2___

ORDINANCE OF THE FLOYD COUNTY BOARD OF COMMISSIONERS DISSOLVING THE FLOYD COUNTY SOLID WASTE MANAGEMENT DISTRICT

WHEREAS, the Floyd County Commissioners established the Floyd County Solid Waste Management District, a single county district, on June 3, 1991 in accordance with Indiana Code.

WHEREAS, Indiana Code § 13-21 et. seq. allows for the County to dissolve a solid waste management district. Specifically, Indiana Code § 13-21-15-1(a) authorizes a County to dissolve a single county solid waste management district in accordance with Indiana Code §13-21-3-1(d)(1) and Indiana Code §36-1-8-17.7(b).

WHEREAS, the Floyd County Commissioners passed an Ordinance, FCO 2025-18, stating the intent of the executive and legislative body to dissolve the Floyd County Solid Waste Management District, on June 17, 2025.

WHEREAS, the Floyd County Council passed an Ordinance, Ordinance 2025-09, stating the intent of the fiscal body to dissolve the Floyd County Solid Waste Management District, on July 18, 2025.

WHEREAS, the Floyd County Commissioners held a Public Meeting on the proposed dissolution of the Floyd County Solid Waste Management District on the 17th day of February 2026, in accordance with Indiana Code §36-1-8-17.7(b)(3). Notice of said Public Meeting was given in accordance with Indiana Code §36-1-8-17.7 and Indiana Code §5-3-1.

WHEREAS, the Floyd County Commissioners Plan regarding the proposed dissolution of the Floyd County Solid Waste Management District was made available to the public for viewing in person and on the County's website for viewing in accordance with Indiana Code §36-1-8-17.7 and Indiana Code §13-21-3-1.

WHEREAS, the Floyd County Commissioners believe it is in the best interests of the County for the ongoing functions of the Floyd County Solid Waste Management District to be carried out by and under their direct authority, under the department known as Floyd County Solid Waste, and that doing so will enable the services offered by the Floyd County Solid Waste Management District to be delivered in a more efficient and economical manner, all of which is a benefit to the citizens of Floyd County, Indiana.

NOW, THEREFORE, BE IT ORDAINED BY THE Board of Commissioners of Floyd County, Indiana, that:

1. The Floyd County Solid Waste Management District is hereby dissolved, effective February 27, 2026, at 11:59 p.m.
2. The Plan adopted by the Floyd County Commissioners is hereby adopted by reference and attached as Exhibit A hereto.

3. The functions and services of the Floyd County Solid Waste Management District shall be under the Floyd County Commissioners, under the department known as Floyd County Solid Waste, effective February 28, 2026 at 12:00 a.m.
4. The employees of the Floyd County Solid Waste Management District shall now become employees of the Floyd County Commissioners, in the department known as Floyd County Solid Waste, and shall be managed and employed as such.
5. In accordance with Indiana Code §13-21-15-1(c)(1), Any legal obligations of the district that were incurred under this article before the district was dissolved, including bond obligations, loan obligations, other contractual liabilities, and civil liabilities, are transferred to the county and become legal obligations of the county, and those legal obligations shall be satisfied from assets of the district.
6. In accordance with Indiana Code §13-21-15-1(c)(2), Any assets of the district that are needed to satisfy the legal obligations described in Indiana Code §13-21-15-1(c)(1) shall be: A) used by the district to satisfy those legal obligations; or B) transferred to the county and used by the county to satisfy the legal obligations.
7. In accordance with Indiana Code §13-21-15-1(c)(3), To the extent there are assets of the district that are not needed to satisfy the legal obligations described in subdivision (1), those assets: (A) shall be transferred to the county and become assets of the county; and (B) shall be used by the county in providing services previously provided by the district.
8. The Director of the Floyd County Solid Waste Management District is directed to transfer title of all finances, assets, equipment, and other personal and/or real property to Floyd County, Indiana. This includes any and all financial accounts and financial holdings of the Floyd County Solid Waste Management District.
9. In accordance with Indiana Code any other authority of the Floyd County Solid Waste Management District shall be transferred to the County.
10. The Floyd County Code of Ordinances should be updated to reflect this change and the dissolution of the Floyd County Solid Waste Management District. Any reference to the Floyd County Solid Waste Management District shall be amended to conform to the intent and effect of this Ordinance.
11. All prior Ordinances in direct conflict with this Ordinance are hereby repealed.
12. If any part of this Ordinance is deemed to be invalid or unenforceable all remaining portions of the Ordinance shall remain in full force and effect.

Adopted and passed this 17th day of February, 2026.

BOARD OF COMMISSIONERS,
COUNTY OF FLOYD

Al Knable, President

Jason Sharp, Commissioner

Frank Loop, Commissioner

Attest:

Diana Topping, Auditor

FLOYD COUNTY BOARD OF COMMISSIONERS PLAN REGARDING THE PROPOSED DISSOLUTION OF THE FLOYD COUNTY SOLID WASTE MANAGEMENT DISTRICT

1. The Floyd County Commissioners hereby establish a Plan for the proposed Dissolution of the Floyd County Solid Waste Management District.

2. Effective Date: The Floyd County Solid Waste Management District shall cease to operate as of February 27, 2026 at 11:59 p.m. All rights, duties, and authority of the Floyd County Solid Waste Management District shall be transferred to the Floyd County Commissioners, under the department known as Floyd County Solid Waste.

3. Assets/Obligations: All assets and obligations of the Floyd County Solid Waste Management District shall be transferred to the Floyd County Commissioners and shall be held and titled in the name of Floyd County, Indiana. The assets shall be used to provide ongoing services under the Floyd County Commissioners. A list of all vehicles, equipment, and personal property of the Floyd County Solid Waste Management District is hereby attached and labeled Floyd County Solid Waste Management District Equipment Inventory/Capital Assets.

4. Employees: All employees of the Floyd County Solid Waste Management District shall continue to be employed but shall be employees of the County and shall be under the supervision of the Floyd County Commissioners, under the department known as Floyd County Solid Waste. All such employees shall be at-will employees and shall report to the Floyd County Commissioners. In addition, all employees shall follow and be employed pursuant to all normal county procedures and the Floyd County employee handbook.

5. Services:
    a. Current services:
        i. 2 recycling drop off centers
            1. One is located in Galena and accepts paper, cardboard, plastics, metal, glass, scrap metal, aluminum cans, and e-waste.
            2. The other is located in New Albany (The Annex) and accepts paper, cardboard, plastics, metal, glass, scrap metal, aluminum cans, and e-waste. Household Hazard Waste is accepted at certain times of the year (currently April-October one time per month).
    b. Proposed services: The Floyd County Commissioners will assume responsibility for providing ongoing services after the effective date of the dissolution and may amend the services that are proposed to be provided. The Floyd County Commissioners intend to continue to have a recycling drop off center, at the New

Albany (The Annex), to accept paper, cardboard, plastics, metal, glass, scrap metal, aluminum cans, and e-waste. The Floyd County Commissioners also intend to continue to offer the recycling drop off center at the Galena location until such time that the term of the use of that property expires (currently set to be July 1, 2026). The Commissioners are evaluating bids on collection and disposal of Household Hazard Waste and plan to continue offering a service for this. The Commissioners intend to create a non- reverting fund for the Solid Waste department.

6. Education: The Floyd County Commissioners will strive to continue to educate the public as to the services offered.

Floyd County Solid Waste District

Equipment Inventory-Capital Assets

12/31/2025

Item	Description	VIN/ plate#
Truck	2011 Chevrolet 2500	1GC0KVCG0BF173470/ plt# 73825
Truck	2012 Chevrolet 2500	1GC0KVCG4CZ174184/ plt# 13308
Truck	2024 Chevy Silverado 3500	1GC3YSE76RF144587/ plt# 99448
Truck	2012 Chevrolet 2500	1GC0KVCG5CF244292/ plt# 13314
Truck	2019 Ford Super Duty	1FTBF2B69KEC69348/ plt# 59511
SUV	2017 Dodge Durango SSV	1C4SDJFT8HC783406/ plt# 53175
Forklift	2013 Yale ForkLift GLP050VXNVSE086	B875V111783L
Roll-off	2013 ProTainer roll off cable pull	1P9PRS162DA277550/ plt# 49777
Roll-off	2024 14K dumpster Big Tex trailer bumper pull	Serial# 293776
Trailer	2017 PRO-Tilt Dump 20 yd	1P9FP1923HA277013/ plt# 46387
Trailer	2011 PRO-Tilt Dump 20 yd	1P9FP1921BA371087/ plt# 7765
Trailer	2011 PRO-Tilt Dump 20 yd	1P9FP1928BA371085/ plt# 67893
Trailer	2011 PRO-Tilt Dump 20 yd	1P9FP192XBA371086/ plt# 7764
Trailer	2019 PRO-T Dump 20 yd	1P9BH2023KA277565/ plt# 86203
Trailer	2019 PRO-T Dump 20 yd	1P9BH2025KA277566/ plt# 86202

Trailer	2021 Pro-T Dump Cardboard 25 yard	*1P9BH242XMA277091/ plt# 91916
Container	2013 Pro Tainer	PROSD14-168
Container	2013 Pro Tainer	PROSD14-169
Container	2013 Pro Tainer	PROSD14-170
Box Open top	2013 Pro Tainer open top	PRO15-0111
Box Open top	Big Tex 13 yard (Ceaser Foundation)	Big Tex 13 yard
Box Open top	Big Tex 13 yard	Big Tex 13 yard
New Equipment 2024		
Box Open top	ProTainer Open Top	Due next 30 days
Roll-off	ProTainer roll off cable pull	rec'd July 2024; 1P9BH2125RA277107/ plt 103728
Trailer	2024 Pro-Tilt Dump 25 yard (Single stream)	rec'd July 2024. VIN# 1P9BH242XRA277101/ plt 103729
Item	Description	VIN/ plate#

Baler
Bldg/Offices
Mainteneance bldg

Baler	V63OCC Baler	
Air Compressor	80 gal Ingorsoll Rand, 230 volts	
HHW Container		
Tool box/Tools		
Pallet Jack		
Air Compressor	Roll around	
Shed	10x12	
HP LaserJet 3101	B&W printer	
Dell Laptop	Director	F2X0364
Dell Laptop	Office Manager	
OFFICE DESK for office mgr		county
OFFICE DESK TASK CHAIR		
4 FILE CABINETS	vertical, 4 drawer	
1- LATERAL FILE CABINET		
COPIER		
STORAGE CABINET		
CONFERENCE TABLE		

6 CONF. TABLE CHAIRS	county
DESKTOP PC/MONITOR/KEYBOARD/MOUSE	county
DESKTOP PC/MONITOR/KEYBOARD/MOUSE	county
CONFERENCE TABLE AT ANNEX	county
OFFICE CHAIRS AT ANNEX	
OFFICE PHONES, EXT. 274, X275	county
office desks at Annex	
desk chairs at annex	
misc. power tools	