

WELLS COUNTY COUNCIL ORDINANCE NO. 2023-13

AN ORDINANCE CREATING AN ENHANCED ACCESS FUND

WHEREAS, Indiana Code § 5-14-3-8.3 authorizes the County Council of Wells County, Indiana ("County Council"), as the county's fiscal body, to establish an enhanced access fund, for the purposes of (1) the replacement, improvement, and expansion of capital expenditures or (2) the reimbursement of operating expenses incurred in providing enhanced access to public information; and

WHEREAS, certain officials and offices of Wells County have entered into agreements for (1) the replacement, improvement, and expansion of capital expenditures or (2) the reimbursement of operating expenses incurred in providing enhanced access to public information; and

WHEREAS, certain officials and offices of Wells County have entered into agreements for the costs of providing access to documents pursuant to Ind. Code § 5-14-3-8(h) and 8(i); and

WHEREAS, the County Council, desires to support the efforts of other officials to enhance the access to public information and the County Council desires an efficient County government; and

WHEREAS, WHEREAS, Ind. Code § 36-1-6-3 requires that Counties exercising powers must enact an ordinance.

NOW, THEREFORE, BE IT ORDAINED by the County Council of Wells County, Indiana, that:

SECTION I

- A. Creation. Wells County shall create an Enhanced Access Fund ("Fund"), which shall be designated as an 1154 fund, as identified by the State Board of Accounts, for the collection of all fees paid by the public for any enhanced access to public information as authorized by Ind. Code § 5-14-3-8(h) and 8(i).
- B. Purpose. Money in the Fund shall be used only for the purposes set forth in Indiana Code 5-14-3-8.3 authorizes the County Council of Wells County, Indiana ("County Council"), which are for the purposes of (1) the replacement, improvement, and expansion of capital expenditures or (2) the reimbursement of operating expenses incurred in providing enhanced access to public information .

- C. Appropriations. No money may be disbursed from the Fund without a prior appropriation from the County Council.
- D. Investment. All money in the Fund, and any interest earned on such money, shall be invested and reinvested pursuant to the County's standard investment procedures.
- E. Non-Reverting. All money in the Fund, including any interest earned on the Fund, shall remain in the Fund and shall not revert to the General Fund at the end of the fiscal year.

SECTION II

A. References.

1. Except where a specific version or edition is given, reference to another section of this ordinance or another law, document, fund, program, or public office, shall extend and apply to the same, as may be subsequently amended, revised, recodified, renamed, or renumbered from time to time.
2. Reference in this ordinance to a public servant, department, commission, committee, board, or fund, either generally or by title, without reference to another jurisdiction, shall be construed as though it were preceded or followed, as appropriate, by the words "(of the) County of Wells (Indiana)."
3. Should a provision of this ordinance require an act to be done which, by law, an agent or deputy as well may do as the principal, the requisition is satisfied by the performance of the act by an authorized agent or deputy.

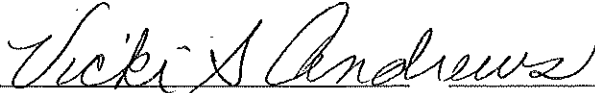
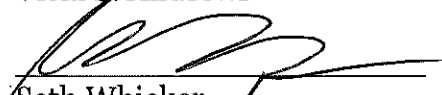

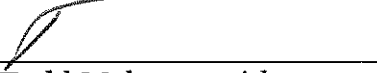


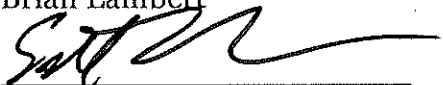
B. Conflicts. No part of this ordinance shall be interpreted to conflict with any local, state, or federal laws, and all reasonable efforts should be made to harmonize same.

C. Severability. Should any section or part thereof of this ordinance be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the ordinance as a whole, or any other portion thereof, and for this purpose the provisions of this ordinance are hereby declared to be severable.

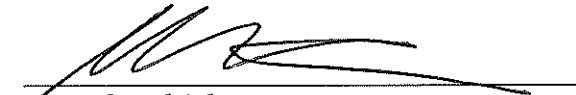
D. Effective Date. This ordinance shall be effective immediately upon adoption.

[Continue to next page for signature section.]

Adopted by the Wells County Council, this 5th day of September, 2023, by the following vote:

Ayes	Nays	Absent
 Vicki S. Andrews		
 Seth Whicker		
 Brandon Harnish		
 Todd Mahnensmith		
 Steve Huggins		
 Brian Lambert		
 Scott Elzey		

Presented to me, the President of the Wells County Council and approved this 5th day of September, 2023.


R. Seth Whicker
President, Wells County Council

Attest:

Lisa McCormick, Auditor

This instrument was prepared by the Wells County Attorney, Theodore T. Storer, Attorney No. 17576-02, 110 W. Berry St., Ste. 1100, Fort Wayne, IN 46802. *I affirm, under penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law. Lisa McCormick*