

ORDINANCE NO. 2024-07

AN ORDINANCE FOR APPROVAL TO ACCEPT FUNDS

WHEREAS, pursuant to Ind. Code § 36-2-2-2 the Board of Commissioners of the County of Wells, Indiana (“Board”), is the executive body of the Wells County government;

WHEREAS, pursuant to Ind. Code § 36-1-2-9 the Board is also the legislative body of the Wells County government;

WHEREAS, pursuant to Ind. Code § 36-1-3 (“Home Rule”), the Board has all powers granted it by statute and all other power necessary or desirable in the conduct of its affairs, even though not granted by statute, and may exercise such powers to the extent that the power: (i) is not expressly denied by the Indiana Constitution or by statute; and (ii) is not expressly granted to another entity;

WHEREAS, Governor Eric J. Holcomb established the Governor’s Public Health Commission by Executive Order in August 2021, and charged it with examining the strengths and weaknesses of Indiana’s public health system and making recommendation for improvements;

WHEREAS, the Governor’s Public Health Commission issued its report to the Governor on August 1, 2022, recommending that Indiana “provide local health departments with stable, recurring, and flexible funding to build and sustain their foundational public health capacities”;

WHEREAS, the Indiana General Assembly approved SEA 4 and HEA 1001 during its 2023 Session that made funds available via the State’s biennial budget to local health departments to ensure core public health services are provided in each county;

WHEREAS, pursuant to Ind. Code § 36-1-4-10, the Board may accept donations of money or other property and execute any documents necessary to receive money or other property from the state or federal government or any other source;

WHEREAS, the Board, on behalf of Wells County, desires and finds it in the public interest to accept the additional funding to provide core public health services for its local department of health to receive the state funds; *and*

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

NOW, THEREFORE, be it ordained by the Board of Commissioners of the County of Wells, Indiana that:

SECTION I

1. The Board of Commissioners of the County of Wells does hereby acknowledge its approval for Wells County to accept additional funds from the State of Indiana for the provision of core public health services by the Wells County Department of Health as outlined by Indiana Code § 16-20-1-12(c)(1).
2. The Board of Commissioners will collaborate with the Wells County Department of Health to identify gaps in core public health services within the County of Wells, develop a health plan, and prepare a budget for approval by the County Council that outlines the use of the additional funding provided by the State of Indiana as required by Indiana Code § 16-46-10-2.2(e).

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.

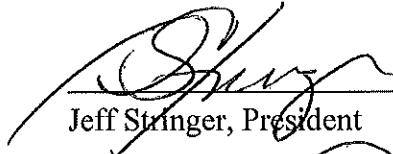
C. Severability. Should any section or part thereof of this ordinance be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the ordinance as a whole, or any other portion thereof, and for this purpose the provisions of this ordinance are hereby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

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

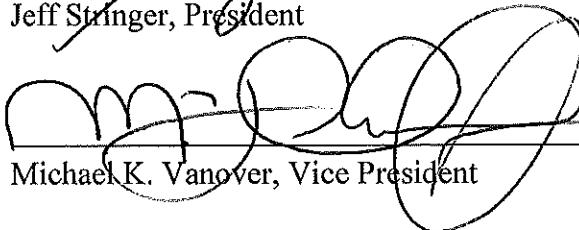
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All as Passed an Ordained this 6th day of May, 2024.


THE BOARD OF COMMISSIONERS
OF THE COUNTY OF WELLS, INDIANA:



Jeff Stringer, President

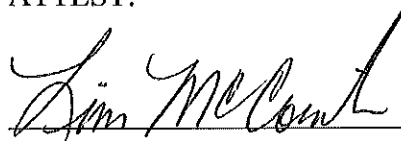


Michael K. Vanover, Vice President



Blake Gettner, Member

ATTEST:



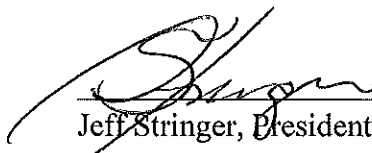
Lisa McCormick, Auditor

This instrument was prepared by Wells County Attorney, Theodore T. Storer, Beers Mallers LLP 110 West Berry St. Ste. 1100, Fort Wayne, IN 46802. I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law. /s/ Theodore T. Storer

WAIVER OF SECOND READING

On motion duly made and seconded, the second reading of the foregoing ordinance was unanimously waived, and the ordinance shall be deemed effective immediately.

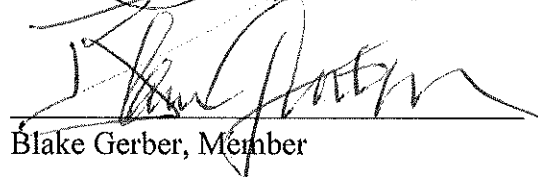
THE BOARD OF COMMISSIONERS
OF THE COUNTY OF WELLS, INDIANA:



Jeff Stringer, President



Michael K. Vanover, Vice President



Blake Gerber, Member

ATTEST:



Lisa McCormick, Auditor