

Montgomery County Board of Commissioners

Ordinance 2023 - 19

Ordinance Creating the Tempur SWIF Grant Fund

Whereas, the Indiana Finance Authority awarded Montgomery County a grant in the amount of \$3,000,000.00 from the Water Infrastructure Grant Program for Indiana Communities, also known as the State Water Infrastructure Fund (SWIF), for expenses of the County's Tempur Water Project; and

Whereas, under the terms and conditions of the grant agreement for this grant, Montgomery County is obligated to use the funds from this grant for the installation of a water main, pumping station and water tower for the Tempur Water Project; and

Whereas, the Board of Commissioners approved the grant agreement for the grant; and

Whereas, the Board of Commissioners now finds that a new fund should be created for the grant award funds and that the County Code should be amended in order to include this new fund.

Therefore, it is ordained that a new section, §35.____, is added to Chapter 35 of the Montgomery County Code, and this new section shall read as follows:

“§35.____ Tempur SWIF Grant Fund

(A) Establishment of Fund. The Montgomery County Board of Commissioners hereby establishes the Tempur SWIF Grant Fund to receive, use, and account for funds received from the Indiana Finance Authority from the Water Infrastructure Grant Program for Indiana Communities, also

known as the State Water Infrastructure Fund (SWIF), for the Tempur Water Project.

(B) Use of Funds. The Montgomery County Board of Commissioners will use the grant funds for the expenses of the Tempur Water Project, in a form and manner consistent with the grant agreement entered into by and between the Board of Commissioners and the Indiana Finance Authority

(C) Non-Reverting Fund. This fund shall be non-reverting and remain in effect until modified or rescinded by the Montgomery County Board of Commissioners.

(D) Severability. If any provision of this ordinance is held to be invalid by a court of competent jurisdiction, all other provisions of this ordinance not otherwise invalidated will remain in full force and effect.

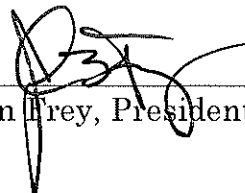
(Ord. 2023-19, passed 10-9-23)”

It is further ordained that this ordinance is effective upon adoption.

It is further ordained that any other provisions of the Montgomery County Code which are not specifically amended by this ordinance shall remain in full force and effect.

Ordained this 9th day of October, 2023

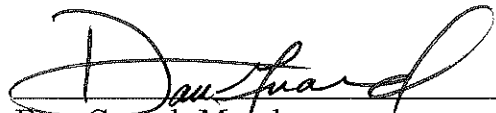
Montgomery County Board of Commissioners:



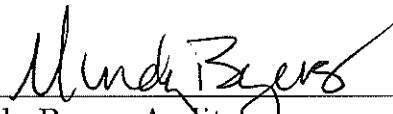
John Frey, President



James D. Fulwider, Vice President


Dan Guard, Member

Attest:


Mindy Byers, Auditor